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HISTORY
OF THE
NEW NETHERLANDS,
PROVINCE OF NEW YORK,
AND
STATE OF NEW YORK,
TO THE ADOPTION OF THE FEDERAL CONSTITUTION.

IN TWO VOLUMES.

BY WILLIAM DUNLAP.

VOL. II.



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ADVERTISEMENT.

It may be thought that an apology is due to the reader for the errors and imperfections, fewer however than under all circumstances might have been expected, which he will meet with in the perusal of these two volumes.

The greater part of the first volume was printed after the author was attacked with a disease, which ultimately proved fatal. For a time he was able to devote some attention to the correction of the press; but it finally devolved exclusively upon one, who had not by previous studies acquired an equal intimacy with the subject, nor was acquainted with the work itself, except as it came under his observation piecemeal while passing through the hands of the printer. For a considerable time afterward, the author's situation was such that no application could be made to him to remove doubts or elucidate obscurities. The second volume is literally a posthumous production, the materials of which have been selected and arranged according to the expressed design of the writer, or when that was wanting, pursuant to the most probable conjecture.

Hence have arisen in some few instances, an apparent confusion or involution of facts and dates, which to disentangle or evolve, requires it is believed merely a little

attention :—and also in two or three instances, the repetition of the same circumstances or ideas, in the same, or nearly the same language. These are indeed blemishes, but such as, it is conceived, cannot materially detract from the gratification and instruction to be, it is hoped, derived from the perusal of the work. Literal and verbal errors will occur to the reader ; in general, however, not of a nature to mislead or embarrass him. A table of errata concludes the present volume.

The editor begs leave to submit the work, now complete, to the kind and candid consideration of the publick.

NEW YORK, February, 1840.

HISTORY OF NEW YORK.

CHAPTER I.

Capture of Ticonderoga—Ethan Allen—Arnold—Montgomery—His letters.

THE controversies between New York and New Hampshire have been noticed in preceding pages,* but when the great struggle between the colonies and Great Britain had arrived at a crisis which superseded in the minds of the leading men of New York all other considerations, Tryon was placed in the position of an enemy to both the contending parties. The contest between England and America had another effect upon this quarrel for acres: many of those claiming under New York became open enemies to the general cause of liberty, and of course their influence in urging the claims of that province to the New Hampshire grants ceased.

1775 As soon as open hostilities had commenced at Lexington, certain persons at Hartford formed a design upon the fortress of Ticonderoga, and being joined by Ethan Allen and others of Massachusetts, they turned their thoughts and steps to Bennington, where they knew men were to be found ready to start upon a dangerous enterprize. On their arrival, a council was called, and Allen assumed, or was appointed, the leader. He despatched scouts to the northward to cut off communication between Canada and the object at which they aimed, and then marched to Castleton, where they arrived on the evening of the 7th of May, 1775. Here they decided on their plan of operations. A party of thirty men was to march to the head of the lake and seize Major Skene, the son of the proprietor, who was then in England, and from whom the spot now called Whitehall was

* Vol. I, chap. 27, 29, 31.

then denominated Skenesborough. This party was to seize all the inhabitants and conduct them to the place Allen had fixed on for embarkation. As the main body was preparing to move to the lake, Benedict Arnold arrived with a commission from the Massachusetts committee of safety, to raise men and proceed to the capture of Ticonderoga, unconscious of the previous movements in Connecticut and the Green Mountains. Arnold had appointed officers to enlist men for this object, but hearing of the previous movement, hastened on, thinking to take command by virtue of his commission from Massachusetts: this suited the disposition neither of Allen or his followers; and Arnold, finding that the men refused to follow any other than the leader of their choice, agreed to join as a volunteer.

The whole force, amounting to 230, pushed for the shore of the lake opposite Ticonderoga, and were fortunate enough to find a boy for a guide, the son of a farmer, who was in the habit of crossing the lake in his father's boat to play with the lads of his own age belonging to the garrison, and who by this means was familiar with every path leading to the fortress. Nathan Beman, (this was the boy's name,) was permitted by his father to undertake the service; and Allen proceeded to achieve the conquest of the place which had repulsed the flower of the British soldiery under Abercrombie, with a slaughter of ten times the whole number that now prepared to capture it. I will let Allen tell in his own way, the result of this expedition.

“The first systematical and bloody attempt at Lexington, to enslave America, thoroughly electrified my mind, and fully determined me to take a part with my country. And while I was wishing for an opportunity to signalize myself in its behalf, directions were privately sent to me from the then colony, now state of Connecticut, to raise the Green Mountain Boys, and, if possible, with them to surprise and take the fortress of Ticonderoga. This enterprize I cheerfully undertook; and after first guarding all the several passes that lead thither, to cut off all intelligence between the garrison and the country, made a forced march from Bennington, and arrived at the lake opposite Ticonderoga, on the evening of the 9th day of May, 1775, with 230 valiant Green Mountain Boys; and it was with the utmost difficulty that I procured boats to cross the lake. However, I landed eighty-three men near the garrison, and sent the boats back for the rear guard commanded by Colonel Seth Warner; but the day began to dawn, and I found myself necessitated to attack the fort before the rear could cross the lake; and as it was hazardous, I harrangued the officers and soldiers in the manner following: “Friends and fellow soldiers—You have for a number of years past been a scourge and terror to arbitrary powers. Your valour has been famed abroad,

and acknowledged, as appears by the advice and orders to me from the general assembly of Connecticut, to surprise and take the garrison now before us. I now propose to advance before you, and in person conduct you through the wicket gate; for we must this morning either quit our pretensions to valour, or possess ourselves of this fortress in a few minutes; and inasmuch as it is a desperate attempt, which none but the bravest of men dare undertake, I do not urge it on contrary to his will. You that will undertake voluntarily, poise your firelock."

"The men being at this time drawn up in three ranks, each poised his firelock. I ordered them to face to the right; and at the head of the centre file marched them immediately to the wicket gate aforesaid, where I found a sentry posted, who instantly snapped his fusee at me. I ran immediately towards him, and he retreated through the covered way into the parade within the garrison, gave a halloo, and ran under a bomb proof. My party who followed me into the fort, I formed on the parade in such a manner, as to face the barracks which faced each other. The garrison being asleep, except the sentries, we gave three huzzas, which greatly surprised them. One of the sentries made a pass at one of my officers with a charged bayonet, and slightly wounded him. My first thought was to kill him with my sword, but in an instant I altered the design and fury of the blow to a slight cut on the side of the head; upon which he dropped his gun, and asked quarters, which I readily granted him; and demanded the place where the commanding officer kept. He showed me a pair of stairs in the front of the garrison, which led to a second story in said barracks, to which I immediately repaired, and ordered the commander, Captain Delaplace, to come forth instantly, or I would sacrifice the whole garrison: at which time the captain came immediately to the door with his breeches in his hand, when I ordered him to deliver to me the fort instantly; he asked me by what authority I demanded it. I answered him, 'in the name of the great Jehovah, and the Continental Congress.' The authority of congress being very little known at that time, he began to speak again, but I interrupted him, and with my drawn sword near his head again demanded an immediate surrender of the garrison; with which he then complied, and ordered his men to be forthwith paraded without arms, as he had given up the garrison. In the meantime some of my officers had given orders, and in consequence thereof, sundry of the barrack doors were beat down, and about one third of the garrison imprisoned, which consisted of said commander, a Lieutenant Feltham, a conductor of artillery, a gunner, two sergeants, and forty-four rank and file; about one hundred pieces of cannon, one thirteen inch mortar, and a number of swivels. This

surprise was carried into execution in the grey of the morning of the 10th of May, 1775."

The prisoners were one captain, one lieutenant, and forty-eight non-commissioned officers and privates, besides non-combatants; they were sent to Hartford for safe keeping. One hundred and twenty pieces of cannon, with mortars, swivels, small arms and stores, were made prize of.

Seth Warner, who led the second division of Allen's army, was despatched to seize Crown Point, which he effected, the place being only garrisoned by a sergeant and eleven men, who were taken with sixty cannon, and of course some small arms and stores.

Arnold again attempted to take command, but Allen and his men resisted, and after the party that had seized Major Skene and the vessels at Skenesborough had joined the main force, they determined to go down the lake and make an attempt upon St. John's. They had now a schooner and several batteaux, and Arnold, who was accustomed to the sea, had charge of the larger vessel; Allen commanding the batteaux. Arnold arrived first at the point of destination, took the garrison by surprise, (a sergeant and twelve men,) and secured them with a sloop of seventy tons, mounting two brass six pounders. After securing the stores and destroying such things as he could not bring off, the future British general sailed triumphantly up the lake and met Allen and his detachment, who could only join in triumph, salutes and congratulations. Allen, however, was determined to persevere, and he pushed on with design to hold possession of St. John's: with this intention, he landed and proceeded about a mile, when he was driven back to his boats with the loss of three of his men taken prisoners.

Allen returned to Ticonderoga, to the command of which he was commissioned by the authorities that were constituted by the people of Massachusetts and Connecticut. Arnold was stationed at Crown Point and had command of the fleet.

Allen now contemplated the conquest of Canada, and had the merit of first suggesting what was soon after adopted as a national measure. Colonel Hinman, arriving at Ticonderoga with troops from Connecticut, the command of the place was yielded to him.

General Schuyler made use of Allen as a missionary, not of religion, but policy, among the Canadians and the Indians of that country, and he executed his mission at least to his own satisfaction, being convinced that if the Americans could advance in force, the people of the country would join them.

When General Montgomery, by Schuyler's illness, was obliged to take the command of the army designed for Canada, Allen was sent by Schuyler to raise a force of Canadians, and succeeded so

far as to have 250 men under arms and at his command ; with these he avowed to General Montgomery his intention of joining him to assist in the reduction of St. Johns, but while on his march up the St. Lawrence, having arrived opposite Montreal, he was induced either by the persuasion of a Major Brown who met him there, or by his own vanity and love of adventure, to undertake the capture of Montreal independently of Montgomery, whose orders he ought to have solicited and obeyed. According to the plan digested by Brown and Allen, the first was to cross above and the second below the town and make a simultaneous attack ; Brown had 200 Americans : Allen crossed the river with eighty Canadians and thirty Americans, in canoes, on the night of the 24th of September, and in the morning looked in vain for Brown's signal for attack. Finding that his consort had failed, Allen would willingly have recrossed the St. Lawrence, but it was too late. The British in the town had notice of his situation, and soon poured out upon him an overwhelming force of regular troops, Canadians and Indians : after a skirmish, and the desertion of all his men but thirty-eight, Allen agreed to surrender upon "honourable terms." They were marched as prisoners into the town they had captured in anticipation, and Allen was received by General Prescott, the commanding officer, with language and treatment unworthy of any gentleman. After asking Allen if he was the man who took Ticonderoga, and being answered in the affirmative, he threatened his prisoner a halter at Tyburn, and sent him in irons on board a vessel of war to be transported to England.

The appointment of Benedict Arnold as a colonel in the continental army, and the choice made of him by General Washington to co-operate in the attack on Quebec, which was intended to be conducted by General Schuyler, makes him so prominent an object that we must look back upon his previous history.

He was the son of Benedict Arnold, a cooper by trade, who emigrated to Norwich, in Connecticut, from Rhode Island, in the year 1730, and having accumulated property, engaged in the West India trade, and marrying, became in process of time the father of a man who has stamped his name indelibly on the pages of our history, as that of a gallant soldier and an unprincipled traitor.

Benedict the second, was born at Norwich, on the 3d of January, 1740. His father, then in successful trade, gave him as good an education as the place afforded ; and his father dying while he was yet a minor, he was apprenticed to two druggists. Young Arnold was a source of more trouble than pleasure or profit. He was noted for acts of daring, of perfidy and cruelty, as far as such qualities can be seen in boyhood. Tired of exhibiting his propensities for mischief on so small a scale, he, at the age of sixteen

years of age, ran away, and enlisted for a soldier. His mother's distress caused an application for his discharge, which was successful, but charmed with companions who would acknowledge his superiority, and with a licence suited to his perverted faculties, he again absconded and joined the troops destined for Lake Champlain, where he became acquainted with the scenes of his future varied adventures. From this engagement he deserted, and fled back to Norwich—thus his first act of treason and flight from the colours he had engaged to fight under, was against George II, the grandfather of the master under whose standard he subsequently carried fire and sword into his native country.

He was received and protected by his masters, who sheltered him from the punishment his desertion merited; but his conduct was a continued source of disgust to them, and of misery to his mother, whose days were probably shortened, as well as embittered by his present conduct and her anticipations of the future. Happily she could not imagine the amount of his future infamy.

He, however, served out his time and commenced business as a druggist in New Haven. The slow increase of property could not content this grasping youth: he commenced trading to the West Indies, and from a port long noted for shipments of horses and mules to that market, Arnold carried on a profitable traffick, occasionally visiting Canada in the way of trade, and occasionally making voyages to the West India Island and commanding his own vessels. He is described by Mr. Sparks, as "turbulent, impetuous, presuming, and unprincipled." He was engaged in quarrels perpetually. That he should be a smuggler followed of course, and when informed against by a sailor, such was the public opinion of English custom house regulations and acts of parliament, taxing the colonial trade, that Arnold with impunity inflicted lashes on the informer at the publick whipping post, and banished him from New Haven.

Arnold's bold, not to say audacious character, with the qualities which marked him as a leader in whatever was dangerous, so far outweighed his evil qualities and bad reputation as a man in the eyes of the military portion of the inhabitants of New Haven, that he was chosen captain of one of the independent companies, called the Governour's Guards; and when the stirring news of the battle of Lexington arrived, Captain Arnold without difficulty called out sixty volunteers from the guards and the students of the college, ready to march for the scene of strife. Arnold's troops had fire arms but no ammunition, and a refusal was returned from the select men to his demand for powder and ball. Drawing up his volunteers in battle array, the captain sent word that if the keys of the magazine were not delivered to him, he would break down the doors and help himself. The threat produced the requisite am-

munition, and Arnold and his company were among the earliest of the gathering at Cambridge.

Scarcely had he arrived before Boston, when he proposed to the Massachusetts committee of safety, an expedition for the surprise of Ticonderoga, a place well known to him, when he, as a private soldier in the king's service, made one of its garrison. His plan was seen to be feasible, and he was on the 3d of May, commissioned as colonel in the service of the province and appointed to command 400 men, for the especial purpose proposed by him. Furnished with money, ammunition, and authority to draw on the committee for the costs of stores and provisions for his troops, Colonel Arnold proceeded to Stockbridge for the purpose of enlisting men, when to his great chagrin he learned that men from Connecticut, had already gone into the Hampshire Grants to raise the Green Mountain boys for the same point of attack. Arnold appointed officers to recruit for him, but with his usual impetuosity pushed on, and overtook Ethan Allen and his organized force at Castleton: at once he showed his commission and claimed command: but Ethan was a match for Benedict on such an occasion, and his mountaineers refused to follow any other than their own chosen leader. Arnold submitted to necessity and joined the expedition as a volunteer. I have already given the result: Arnold entered the fortress side by side with the conqueror: but the post once in possession, he again demanded the command. Allen was as decided in denial as Arnold could be in requiring, and the Connecticut committee was appealed to, who immediately appointed Colonel Allen commandant of the conquered post and its dependencies.

Arnold again with an ill-grace submitted; but four days after the surrender, his own enlisted followers arrived at Ticonderoga by the way of Skenesborough, (now Whitehall) where they had captured a schooner belonging to the British Major Skene, which brought them triumphantly down the lake: with this schooner and these men, Arnold again had a command and on an element familiar to him: he pushed down to St. John's, surprised the garrison, a sergeant and twelve men, captured a king's sloop and four bateaux, which loading with stores from the fort, he carried to Ticonderoga. In this he anticipated Allen, whom he met on the way to St. John's. Crown Point had fallen into the hands of Seth Warner, and thus Lake Champlain with its forts, once so formidable and fatal to well appointed British armies, fell into the hands of a few daring undisciplined Americans.

The English took possession of St. John's with a force much greater than the New England leaders had in the vicinity, and it was rumoured that they intended to come up the lake. Arnold, who acted independently of Allen, and considered himself as the naval

commander, prepared his flotilla to oppose them. Besides a number of batteaux, he had the captured schooner and sloop, and with this force he took post at Crown Point. With part of the artillery taken in the forts he armed his vessels, and despatched cannon by the way of Lake George, intended for the army at Cambridge.*

In the meantime, doubts respecting Arnold's conduct in matters respecting property, very naturally arose in the minds of those who first commissioned him as a colonel, and gave a command of men and money, and moreover his former reputation might well occasion suspicions as to his prudence, and the legislature of Massachusetts sent three delegates to Lake Champlain to inquire into the state of affairs. They were instructed to inquire into his "spirit, capacity, and conduct," and authorized, if they saw fit, to order his return to Massachusetts to give an account of the money, ammunition, and stores, intrusted him. Inquiries of this nature troubled Arnold all through life: and this at the commencement of his heroick career greatly irritated him. He was likewise superseded in command; Colonel Hinman being appointed his superiour. Truly all this did not appear a suitable return for the activity and ability he had displayed, and Arnold complained loudly of the injustice and indignity with which he was treated, and in conclusion resigned his commission.

Having no further business on the lake, he proceeded to Cambridge, loudly complaining of the treatment he had received. His accounts were allowed, but not without that suspicion which seems to have attended him in every period of his life.

The military talents Arnold had displayed, his intelligence, spirit, activity, and perseverance, recommended him to General Washington as a leader fit for the arduous enterprize of conducting a force through the eastern wilderness by the way of Kennebec River to Quebec, a task justly considered to be of a most arduous nature, and requiring a man of tried hardihood and undaunted resolution. Such a man, Washington saw in Benedict Arnold, and the moral deformities of his character, were passed over—he was a tool fitted for the work to be done—and the commander-in-chief commissioned him as a colonel in the army of the continent, furnished him with the necessary instructions, and put under his command 1,100 men, and several officers, who subsequently became famous in the struggle then commencing. Lieutenant Colonel Christopher Greene, afterwards the hero of Red Bank; Lieutenant Colonel Enos; Majors Bigelow and Meigs; Captain Dearborn and Captain Daniel Morgan with his riflemen, so famously conspicuous

* The committee at Albany forwarded abundant supplies of pork and flour to the conquerors of the lake.

in every action from Quebec to Monmouth, and at a later period in a higher command, the conqueror of Tarleton at the Cowpens.

These troops were designed to co-operate with the force which invaded Canada, and formed a junction with them under the walls of Quebec.

In surmounting the difficulties of the arduous march through the wilderness to Quebec, and in every action attendant upon the disastrous expedition and attack upon the capital of Canada, in which Montgomery fell, Arnold by his ardour and daring—by his cool intrepidity and endurance of hardship—by his resources in every difficult emergency, increased his military reputation, and his popularity with all the friends of the great cause he so conspicuously served. I leave to the historian of the United States, the details of the Canada expedition, and will take up the story of Benedict Arnold, when we again meet him on the territory of New York.

Richard Montgomery was born in the year 1736, near the town of Raphoe, in the north of Ireland, and educated at the college of Dublin. At the age of eighteen he entered the army, and was sent to Halifax with the regiment to which he belonged in 1757.

In 1758, he served under Amherst at the capture of Louisbourg, the American Gibraltar, which as we have seen, had been before taken by the American provincials and restored to France by Great Britain, to the great detriment of the colonists.

The 17th regiment, to which Montgomery was attached, followed Amherst to Lake Champlain, and introduced him to the future scenes of his republican military service under his friend Philip Schuyler. He followed the triumphant course of General Amherst until the conquest of Canada was completed in 1760. In the latter year, Montgomery was promoted to the rank of captain, and as such followed Monckton from Staten Island and New York to Martinico, the surrender of which, and of the Havana, was soon followed by the peace of February 10th, 1763.

Returning with the regiment to New York, he remained there, as it appears, some years, and then went to England. From some disgust to the service, he sold his commission and returned to New York in 1773. Having purchased an estate on the Hudson, in the neighbourhood of the Livingston family, he married the daughter of Robert R. Livingston, and thus became the brother-in-law of the late accomplished chancellor.

In the year 1775, he was elected by the county of Dutchess, to the first provincial convention held in New York.

1775 The continental congress, probably guided by the advice of Washington, as in the choice of Charles Lee and Horatio Gates, appointed Captain Montgomery one of the first brigadier-generals that were selected for their army.

Philip Schuyler who at the same time was selected as a major-

general, was appointed to command the army intended for an attempt upon Canada, by the way of Lake Champlain, while another force was pushed for the same purpose by land through the wilderness under Arnold ; but intended for Schuyler's command.

Montgomery repaired to Albany, and was ordered by his friend Schuyler, to Ticonderoga, recently seized upon by Ethan Allen.

He proceeded with a small body of troops down the lake. Being joined by his friend and commander, they effected a landing near St. Johns, and proceeded on their march to the fort on the 5th of September, but were attacked while fording a creek, and thrown in some disorder by an Indian ambuscade. The enemy was however soon dispersed with loss to themselves, and principally by the prompt movement of the command immediately led by Montgomery.

General Schuyler was carried back to Ticonderoga in a state of extreme sickness and exhaustion, yet never ceasing to forward the men, artillery and stores, necessary for the expedition. On receiving a reinforcement, Montgomery began his investment of St. Johns.

After establishing an entrenched camp of 300 men in a position to intercept communication between St. Johns, Chamblée, and Montreal, he opened his fire of artillery upon the beseiged. But he experienced all the difficulties arising from incompetent guns, ammunition, and artillerists—his engineer was without the rudiments of knowledge, as such—his troops were undisciplined, and sunk under the effect of exposure to cold and wet, fatigue and unwholesome water. His efforts were counteracted by the insubordination of his officers and men. The conduct of Ethan Allen in making an attack on Montreal without orders from the general, and with a force altogether inadequate, added to the mortifications of Montgomery.

The capture of Allen took place on the 25th of September. Shortly after, Mr. James Livingston, who had at the instance of Montgomery, succeeded in raising a corps of 300 Canadians, in conjunction with Major Brown, and a detachment from the army, succeeded in capturing Chamblée, its garrison and stores, among which was the very acceptable acquisition of one hundred and twenty-six barrels of gunpowder.

This success and the danger of the post of St. Johns, rendered it necessary for General Carleton the English commander in Canada, to quit Montreal, and with a motley army of Canadians, Scotch emigrants, Indians, and some English troops of the regular force, to risk a field movement for the purpose of attacking Montgomery. Mc Lean of the British army was encamped at the mouth of the Sorel, and Carleton's first move was a junction with

him. This Montgomery foresaw, and gave such orders to Colonel Warner as placed him in a situation at Longueil to oppose the movement of Carleton, who crossing the St. Lawrence, was received from the south bank by a fire of musketry and artillery, which had been masked, and which put to rout the whole armament. This success, and the advance of a further American force, induced Mc Lean to abandon his post and descend the St. Lawrence.

Carleton giving up all hope of saving Montreal, put himself on board of a boat, and with muffled oars, in a dark night, succeeded in passing the American posts and descended the river in safety.

St. Johns surrendered on the 3d of November, and on the 13th Montgomery had full possession of Montreal, eleven sail of English vessels, General Prescott, and 120 regular troops of the seventh and twenty-sixth regiments.

On the 4th of December, Montgomery effected a junction with Arnold, and immediately proceeded to Quebec. In this fortress, under the command of a veteran soldier, the force consisted of 450 seamen and marines; 50 privates of the 7th regiment; 150 of Mc Lean's corps, and 250 Canadian militia. To invest the place with his miserable shadow of an army, less in number than the garrison, was out of the question with the commander of the Americans, and the inclemency of winter in Canada equally forbade it. Escalade was determined on. After the ceremony of surrender and some preparation, the attempt was made as detailed in many of our histories, and the gallant Montgomery fell. The Lieutenant Governour Cramahé, requested that the body of the fallen general might be buried within the walls, and Carleton granted the request. It was subsequently removed to the city of New York, and deposited many years after his death, with all military honours, under the monument voted by congress and erected to his memory in St. Paul's chapel.*

The following extracts† from unpublished letters of Montgomery, written during the last and most eventful period of his life, to his friend Schuyler, whom he constantly addresses in the most respectful and affectionate terms, cannot but be read with interest.

Ticonderoga, August 18, 1775.—"The troops destined for the generous effort to relieve our brethren of Canada, will in all probability be at St. Johns in fourteen days."

Ticonderoga, August 25.—"I hope you will join us with all expedition. Let me intreat you (if you can possibly) to follow in a whale boat, leaving somebody to bring forward the troops and

* As to the lives of Allen and Montgomery, see Sparks's American Biography, Vol. I.—of Arnold—Sparks, Vol. 3.

† For these I am indebted to my highly esteemed friend, Ex-chancellor Kent.

artillery. It will give the men great confidence in your spirit and activity. Be assured I have your honour and reputation highly at heart, as of the greatest consequence to the public service; that all my ambition is to do my duty in a subordinate capacity, without the least ungenerous intention of lessening the merit so justly your due, which I omit no opportunity of setting in its fullest light."

Camp, near St. Johns, Sept. 19, 1775.—"We arrived here on the 17th, in the evening. I have great dependence on your presence to administer to our many wants. Major Brown was driven off yesterday morning by a party of British when he landed on the left side of the lake."

Camp, south side St. Johns, Sept. 24.—"I can say nothing pleasing as to my troops. The other night Captain Mott basely deserted the mortar battery without being attacked, though he made me a report that the enemy had rushed on him. I expect to set our mortars to work to night. If successful I shall endeavour to have deputies sent from Canada to the congress, giving them assurances that before an accommodation takes place, *Canada* must have a free government, and that the congress will as soon give up the Massachusetts government to the resentment of the ministry as relinquish this point.

I should like to have three *enlightened* members of congress as a council, immediately, lest I should make a *faux pas*.

Should Arnold come in my neighbourhood, has he orders to put himself under my command? You know his ambition, and I need not point out the bad consequences of a separate command."

Camp, near St. Johns, Sept. 25.—"Colonel Allen passed the St. Lawrence below St. Johns with twenty of ours and fifty Canadians. He was attacked from the garrison and taken prisoner, and two or three of his men killed. I lament that his imprudence and ambition urged him to this affair singlehanded."

Same date.—"We have opened a battery of two twelve pounders upon the ship yards and schooner. I want men and ammunition; the weather is bad, and the ground encamped on, swampy. We are scanty in pork and flour. I have sent back ten boats with the naked and lazy."

Camp, south side St. Johns, Oct. 6.—"Your diligence and foresight have saved us from the difficulties that threatened us, and we are no longer afraid of starving. I am waiting with impatience for the arrival of troops.

We have a post at La Prairie, and a conference by Major Brown, and some of our officers, with the principal inhabitants of Montreal, at La Prairie to-morrow. I am too feeble in men. The weather has been miserable. If I could send 500 men to Montreal it would declare for us.

Our army shows a great want of military spirit. They petition

for the release of the base coward Captain Mott. Our sensible officers swallow every old woman's story that is dropped into their mouths. General Carleton is still at Montreal."

Camp, south side St. Johns, Oct. 9th.—"There has been shocking embezzlement of the public stores and monies. Pray send me Yorkers, they dont melt away half so fast as their Eastern neighbours. We want iron, steel, ammunition, a ten inch mortar. Your residence at Ticonderoga has probably enabled us to keep our ground. How much do the public owe you for your attention and activity?"

Camp, near St. Johns, Oct. 13th.—"A general dissatisfaction prevails in the army, and that unless something is done in a few days, I am told there will be a mutiny. It seems I am at the head of troops who carry the spirit of freedom into the field and think for themselves. Owing to the want of subordination and discipline, I thought it expedient to call a council of the field officers. The result has deprived me of all hopes of success. The troops at the post of La Prairie have shown great intimidation, and I have had great difficulty in keeping them there. The friendly Canadians grow exceedingly uneasy at their situation should we not succeed.

You will see the propriety of putting Ticonderoga in a state of defence against a winter coup-de-main, by a stockade, and by having a post at Crown Point. The vessels to be placed in stockade also: preparations for a naval armament in the spring."

Camp, near St. Johns, Oct. 20th.—"Chamblée surrendered to Major Brown and Mr. Livingston. The latter headed 300 Canadians. He had not above 500 of our troops. It was a plan of the Canadians, who carried down the artillery past the fort of St. Johns in batteaux. We have got six tons of powder, which with the blessing of God, will finish our business here. I have found Major Brown on all occasions active and intelligent. We have sunk the enemy's schooner; our troops are now in high spirits.

The quantity of women and baggage taken at Chamblée is astonishing. The officers of the 7th regiment taken at Chamblée are genteel men. I have had great pleasure in showing them all the attention in my power. I have not in my camp above 750 men."

Camp, near St. Johns, Oct. 26th.—"In a few days I hope to have a battery to the north side, of three twelve, and one nine pounders, upon a dry piece of ground to the north west."

St. John's, October 31.—"I must earnestly request to be suffered to retire should matters stand on such a footing this winter as to permit me to go off with honour. I have not talents nor temper for such a command. I am under the disagreeable necessity of acting eternally out of character—to wheedle, flatter and lie. I stand in a constrained attitude. I will bear with it for a

short time, but I cannot bear it long. Mr. Wooster has behaved hitherto much to my satisfaction."

Camp, near St. John's, November 3d.—"The garrison surrendered last night, and this morning we take possession. We played on the fort from our battery of four twelve pounders on the north west, and of two twelve pounders on the east side. Major Preston commanded. Governour Carleton made an attempt to land with thirty-four boats full of men at Longuiel, and was repulsed with Warner's detachment: send all the troops you can."

Montreal, November 13th.—"This morning this city capitulated, and Carleton with his garrison has gone down to Quebec." [He talks of finishing the business at once by a vigorous attack on Quebec.] "If your health will not permit you to engage in this affair, Lee ought by all means to have the command here. The troops are exceedingly turbulent, and indeed mutinous. My vexation and distress can only be alleviated by reflecting on the great public advantages which must arise from my unparalleled good fortune. I shall call a convention in Canada when my intended expedition is finished. Will not your health permit you to reside at Montreal this winter? I must go home this winter—I am weary of power, and totally want that patience and temper so requisite for such a command. I wish some method could be fallen upon of engaging *gentlemen* to serve: a point of honour and more knowledge of the world to be found in that class of men, would greatly reform discipline and render the troops much more tractable. The officers of the 1st regiment of Yorkers were very near a mutiny the other day, because I would not stop the clothing of the garrison of St. Johns. I would not have sullied my own reputation, nor disgraced the continental army, by such a breach of capitulation, for the universe. There was no driving it into their noddles that the clothing was really the property of the soldier, that he had paid for it."

Montreal, November 17th.—"Colonel Easton has six guns mounted at the Sorrel, and disturbs Carleton's eleven sail in the river. I am making preparations to attack him on my side with artillery. I hope to give a final blow to ministerial politics in this province. I cannot retire with honour until the campaign is finished, but that instant it is over I must retire."

Montreal, November 19th.—"I have an express from General Arnold—he has crossed the river to the Quebec side—he had been near surprising the town. Carleton is fifteen miles this side Sorrel. I presume he is with that fleet. Arnold has no artillery, and is in want of warm clothing. I have set a regiment on foot of Canadians—James Livingston, colonel. I have declared to the inhabitants that I should call a convention upon my return from Quebec. The *Popish priests* have hitherto done us all the mischief

in their power. The inhabitants are our friends on both sides of the river down to Quebec. They permit our expresses to pass unmolested."

Montreal, November 20th.—"Captain Lamb of the artillery is active, spirited and industrious. The rascally Green Mountain Boys have left me in the lurch, after promising to go down to Quebec. I am obliged to speak to you of Colonel Easton in the warmest terms of acknowledgment."

Montreal, November 24th.—"I am ashamed of staying here so long and not getting to Arnold's assistance. To-morrow I shall sail with two or three hundred men, some mortars and other artillery. Lieutenant Halsey, whom I left as assistant engineer at St. Johns, has run away and taken the artificers I had left to carry on the works; he deserves the severest punishment. Poor Allen is sent to England in irons. I wish Lee could set off immediately for the command here. Our commissaries have made great havoc with the public stores. There are great abuses to be rectified. Several commissaries and other officers have flown without settling their accounts. I wish exceedingly for a respectable committee of congress. I really have not weight enough to carry on business by myself. I have not above 800 effectives here; but I can have as many Canadians as I know how to maintain.

An affair hapened yesterday which had very near sent me home. A number of officers presumed to remonstrate against the indulgence I had given some of the officers of the king's troops. Such an insult I could not bear and immediately resigned. To-day they qualified it by such an apology as puts it in my power to resume the command. Captain Lamb is a restless genius, and of a bad temper, and at the head of it: he is brave, active and intelligent, but very turbulent and troublesome."

Holland House, near the Heights of Abraham, Dec. 5th.—"I have joined Colonel Arnold at Point aux Trembles, where I arrived with the vessels. They carried 300 troops equipped for a winter campaign. Colonel Livingston is on the way with a part of his regiment of Canadians. Mr. Carleton is shut up in the town with a shew of defence. I mean to assault his works towards the lower town, which is the weakest part. I shall be very sorry to be reduced to this mode of attack, because I know the melancholy consequences.

Colonel Arnold's corps is an exceeding fine one, and have a superiour style of discipline. I am not intoxicated with the favour I have received at the hands of fortune, but I do think there is a fair prospect of success. I have been under the necessity of clothing the troops. As a stimulant to the troops to go forward, I was obliged to offer as a reward all public stores taken in the vessels, to the troops, except ammunition and provisions. I gave

them the year's clothing of the seventh and twenty-sixth regiments. I would not wish to see less than 10,000 men ordered here in the spring to protect the province, with artillery, row-gallies, etc. The Canadians will be our friends so long as we are able to maintain our ground. I am much obliged to you for communicating to congress my desire of retiring. I wish like a New England man for the moment of my release. Mc Pherson is a young man (Captain) of good sense and a great deal of spirit, and most amiable."

Head Quarters, before Quebec, Dec. 16th.—"Yesterday we opened a battery of five guns; very little effect: the governour would not receive any letter or summons. The enemy have very heavy metal. I never expected any advantage from our artillery than to amuse the enemy and blind them to my real intention. I propose the first strong north wester to make *two attacks* by night—one with about one-third of the troops on the lower town—the other upon Cape Diamond bastion by escalade. I am fully convinced of the practicability; but if the men should appear not to relish this mode of proceeding, I shall not press it. The enemy are weak in proportion to the extent of their works. We have not much above 800 men fit for duty, exclusive of a few raggamuffin Canadians. We want cash, and shirts and artillery stores. The Canadians will not relish a union with the colonies till they see the whole country in our hands. Were it not for this I should have been inclined to a blockade till towards the first of April."

Head Quarters, before Quebec, Dec. 26th.—"I have discovered that three companies of Colonel Arnold's detachment are very averse to a coup-de-main. Captain Hanchel, who has incurred Colonel Arnold's displeasure, is at the bottom of it: a field officer is concerned in it. This dangerous party threatens the ruin of our affairs. I shall at any rate be obliged to change my plan of attack. I am afraid my friend Major Brown is deeply concerned in this affair: he wishes to have, and they wish him to have, the separate command of those companies. The officers have offered to stay, provided they may join some other corps. This is resentment against Arnold.

Send a large corps of troops down as soon as the lake is passable. I am distressed for money. Paper will not pass in Canada. *Mr. Price, of Montreal*, has been a most faithful and valuable friend to our cause. I have had £5000 York currency cash from him. I take it for granted measures are taken to supply my place, as I am determined to return home. If this business should terminate in a *blockade*, I shall think myself at liberty to return; however, if possible, I shall first make an effort for the reduction of the town."

CHAPTER II.

*The Johnsons—Brant — Schuyler's Expedition to Johnstown—
The state of the valley of the Mohawk.*

1774 SIR WILLIAM JOHNSON had filled offices and performed actions in the province of New York of too much importance to permit the historian to pass over his death unnoticed. He had made a voyage to England, in 1773, and returned prepared to take part in the struggle which was anticipated between the ruling country and her provinces. He had assembled his Indian friends, and prepared the Iroquois to raise the tomahawk against the colonists : but, on the 24th of June, he died of apoplexy, at his house near Johnstown. His son John succeeded to his estate and title. His efforts against the American cause will be found in the sequel. The friend of Brant, without some of his good qualities, they were both scourges and dealers in mischief to the western and northern part of this state, even before she took that proud title. Guy Johnson, the son-in-law of Sir William, succeeded him as English agent for Indian affairs : Brant was advanced to the office of secretary ; these with Miss Molly—Brant's sister, and the baronet Sir William's concubine—added to the hereditary noble, Sir John, moved every engine, and exerted all their power to oppose the spirit of liberty which was aroused in the east and spread its benign influence even to the valley of the Mohawk. Hendrick and John Frey, Christopher P. Yates and Isaac Ferris, names unknown to the officials of Britain, fanned the flame of freedom ; and, in the face of the Johnsons and Miss Molly, published a declaration of rights and echoed the voice of the patriots of the city of New York.

The Butlers, John and his son Walter N., (famous for their murders subsequently, in connection with Brant and his Indians,) were early coadjutors with the Johnsons, in opposition to the colonists. They were all bound to England by offices, and by the belief that she was the stronger party in the contest.

1775 The tories of Tryon county assembled at Johnstown, at the time of holding court, and procured the signatures of many to an address, in opposition to that of the congress. The county named after Tryon, embraced all the settlements west and and south west of Schenectady. This effort of the tories aroused

the friends of reform ; and meetings were called, and committees appointed in every district. At Caughnawaga they proceeded to the erection of a liberty pole ; but the Johnsons, with other officials, attended by their associates, tenants, and followers, armed, made their appearance, to oppose this demonstration. Guy harangued the multitude, and told them of the irresistible power of Britain, her justice, and the insolence of her opponents. The whigs interrupted his oratory, and a scuffle and bloodshed by bruises ensued, principally endured by the liberty boys. In Cherry Valley the whigs held their meeting at the church, in the month of May, and, with enthusiasm, signed an address, approving the proceedings of Congress. But in the Palatine district the Johnsons overawed the people by show of force, and prevented their assembling. Sir John fortified his house, armed the Highlanders of Johnstown, and with his family and the Butlers, prepared the Indians to act against the colonies. Brant was secretary to Colonel Guy, and an influential agent with the Mohawks. The Oneidas, influenced by the Rev. Mr. Kirkland, espoused the American part, and Brant was active in opposition to him. Guy, in the name of the British government, ordered away the missionary.

In June, Gen. Washington wrote to Schuyler to keep a watchful eye upon Guy Johnson, which that patriot was already disposed to do ; and Colonel Guy was in an uneasy position, which he endeavoured to mitigate by addressing a letter to the people of Canajoharie and others, professing his desire to keep the Indians quiet, hinting dangers to himself from the New England people, and the vengeance of the Iroquois upon those who injured their agent—himself.

The committee, however, denounced Johnson, as taking upon himself unauthorised powers, arming those around him, stirring up the Indians of the upper country, and cutting off communication between the districts favourable to Congress with the city of Albany. The Albany committee advised the people thus oppressed by Johnson, to procure arms and ammunition, act on the defensive, and counteract Johnson's intrigues with the Indians. These frontier whigs showed a determined spirit ; at the same time they acted with praiseworthy caution.

Guy Johnson likewise addressed the people of Albany and Schenectady by letter, of a tenor similar to that sent to the people of the Mohawk valley. The leaders at Albany replied, that the report of danger threatened to the colonel, was an artful rumour raised to enlist the feeling of the Indians on his part, and against the colonists. They assured them, however, of their wish to preserve peace and friendship with them, and the tribes in his charge.

The seat of Colonel Johnson, was called Guy Park, and the

stone house on the bank of the Mohawk, yet indicates the substantial splendour of the agent who guided the Iroquois for the benefit of Britain. At this place Johnson held a council of Mohawks, for the purpose of making known the intention of supporting and protecting Johnstown. He had invited the other tribes, but they did not appear. He called a second council to remedy this deficiency, and appeared with his followers at the German Flats.

On the 2d of June, a full meeting of the Tryon county committee met, in despite of the efforts of the Johnsons and Butlers. They echoed the sentiments of the people of the colonies generally, who pledged themselves to defend the liberty of their country. They addressed the Indian agent; rebutted the charges brought against them; they called upon him to keep the Indians from interfering in the quarrel between the colonies and England; they asserted their right to meet, and reprobate his interference. The colonel answered their address. He treated their fears of the Indians as only propagated for bad purposes: his political opinion he avows, and his belief that the king of England would rectify all just complaints: he considers his frequent meetings with the Indians beneficial to the country; and charges the whigs with intercepting the gifts to the Indians.—He acknowledges that he had fortified his house, and considers the reports as true, which induced him so to do, he being threatened with captivity, which if accomplished, would have raised the ire of the Iroquois, and of course their vengeance. He assures the people, that they have nothing to fear from him; but that he wishes to promote their true interest.

At the German Flats no council of Indians took place, and Johnson with his companions proceeded to Fort Stanwix, which still further excited the apprehensions of the colonists, who saw him moving up the Indian country attended by his family, his dependants, and a body of the Mohawks. These apprehensions were entertained by the provincial congress of Massachusetts, who laid them before the provincial congress of New York, and the continental congress. It was believed that the Indian agent persuaded the Iroquois that the colonists intended to extirpate them, and by that means attached them to England as a protectress.

The friends of liberty and the people, made efforts on their part to counteract the schemes of the Johnsons: and the Oneidas, and Tuscaroras, met deputies from Tryon county and Albany, on the 28th of June, at the German Flats, and a pledge of neutrality was obtained from those tribes.

In the meantime, Guy Johnson proceeded from Fort Stanwix to Ontario, not without experiencing some tokens of the jealousy of the whig inhabitants of the valley of the Mohawk, who seized some supplies on their way to his troops. From Ontario he informed

the committee at Albany, that he was finishing his business with the Indians, having 1,340 warriors* with him. That he disclaimed the orders of congresses and committees, as not consistent with his loyalty—again threatens the vengeance of the Indians if he is injured; and professes too much humanity to promote the destruction of the colonists.

Guy Johnson was accompanied into Canada by the two Butlers and Brant. The Oneidas and Tuscaroras remained at home: as did Sir John Johnson, who had as stated, fortified his house at Johnstown, and was a brigadier-general under the king, and had at his command a great number of armed followers. Colonel Herkimer wrote to Albany for succours, as he expected Guy and his Indians would return and carry desolation through the valley, aided by Sir John. Guy held another council with the Indians at Oswego, and still further set them against the colonists. He thence joined Carleton and Haldimand in Canada. Carleton, the commanding officer, proposed to the Indians to enter the king's service. At Montreal, Haldimand addressed the confederated Indians, and engaged them to serve against the Americans.

In 1775, congress appointed commissioners with instructions to endeavour to keep the Iroquois and their allies, in a state of neutrality: Philip Schuyler was one of these. In August, two of the commissioners assembled as many as they could, at the German Flats for this purpose, and proposed a more full council at Albany. The chiefs of the Iroquois present, agreed to meet at Albany, but declined sending to their allies or to the Caughnawagas: among the latter they said, Guy Johnson was present, and carried them in an opposite course. The Iroquois likewise required assurance of safety in coming to Albany, which was given them; and on the 23d of August, the chiefs assembled at Albany, and the magistrates joined with the commissioners in a formal visit to them at their quarters, in which visit the Albanians called themselves the descendants of *Quidder*, or Peter Schuyler, by way of claiming friendship with the Iroquois.

Previous to a council with the commissioners, the Indians wished to have a talk with the magistrates, and head men of Albany, and accordingly a committee consisting of Walter Livingston, Jeremiah Van Rensselaer, and Samuel Stringer, was appointed to make arrangements, and the meeting took place in the evening. The Oneidas professed their pacifick disposition, and said, Guy John-

* According to Mr. Stone, the historian of Brant, Sir William Johnson made the number of Mohawk warriors 160: Oneidas 250: Tuscaroras 140: Onondagas 150: Cayugas 200: Senecas 1,050. Total 1950. And during the American revolution, the English had in their service 300 Mohawks, 150 Oneidas, 200 Tuscaroras, 300 Onondagas, 230 Cayugas, and 400 Senecas.

son had endeavoured to engage them against the colonists, and had done so by request of General Gage. On the 25th of August, the grand council with the commissioners took place. It was not until the last day of August, that the Mohawk chief, *Little Abraham*, gave the determination of the Iroquois, which was, for a neutrality, but is supposed to have given a false gloss to the conduct of Carleton and Guy Johnson on the subject. The next day the commissioners made their reply in conformity with the intention of congress.

Messrs. Philip Schuyler and Volkirt P. Douw, were appointed to keep up the amicable convention with the Iroquois, and hold councils with them at Albany ; but this was the last : the hostility of the Indians, and their attachment to England, and the Johnsons were soon after avowed.

From this council the Iroquois returned home, satisfied with good treatment and abundant presents, but soon after an epidemick broke out among them, and swept off great numbers. The Mohawks of Schoharie were almost exterminated. The agents of England easily made the Indians believe, that disease and death were a proof of God's anger against them for not joining the king and the Johnsons. In this belief they took up the hatchet against the colonists ; and the tribes that had most suffered, were the most cruel enemies of the people of the valley of the Mohawk, and said to be pre-eminent in atrocity. It will likewise be recollected that with the exception of the Oneidas, and the tribe of Mohawks nearest to Schenectady, the other Iroquois were already led away by Brant and his employer, Guy Johnson.

To prove that Brant was right in preferring the party of England, to that of America, his eulogist tells us, that the Indian being solicited by Doctor Wheelock, his former instructor, to join the cause of the colonists, or to remain at peace as neutral, replied, that he only followed the Doctor's maxims, in attaching himself to Great Britain, as his preceptor had taught him to "fear God, and honour the king."

If this justified Brant, how vile must appear the Washingtons, Adamses, Jeffersons, Franklins, Schuylers, and the thousands of provincial patriots, who set themselves in opposition to the king and his officers. The writer well remembers that he was taught, (and such was the teaching of Americans generally, until 1775,) not only "to fear God and honour the king," but to honour *all those placed in authority* under his most sacred majesty. But those to whom we owe our liberties, and the world a bright example, honoured justice more than the king, and despised those put in authority under him, when they proved to be blind or selfish tools of the master who paid them. In childhood I was taught to "fear God and honour the king, and all those put in authority under

him ;" but three score and ten years, with a study of the scriptures, their commentators and the philosophy of history has taught me to "love God, and to honour most highly, such of his creatures as appear to do his will." If this is a digression, I will pursue it no further than to remark, that the Brants, the Johnsons, of Johnstown and Tryon county, and the hundreds of governours and other place-men, who honoured the king, and joined his standard, in opposition to the colonists, were servants of the king and of his servants, and were interested to support the power that paid them. The Iroquois were no longer the independent republicans of the seventeenth century, they were led by Brant and Johnson to lift the hatchet on the part of those, who were most likely to supply them most plentifully with guns, powder, and blankets.

In speaking of the Iroquois generally as inimical to America, I do not speak of the year 1775, for at the time of the last council at Albany such was not the case, and the friendly meeting of August restored for a time tranquility to the dwellers on our frontiers.

A liberty pole had been erected in the Mohawk Valley, at the German Flats. The Dutch inhabitants, (high and low) were generally patriots. The Scotch, and other tenants of the Johnsons, were tories. The king's sheriff, Alexander White, was a leader in cutting down the detestable emblem of rebelling against all those put in authority under majesty. The people by their committee removed Mr. White from office and appointed Colonel John Frey, one of the people.

White had rendered himself unpopular by other violent acts, and had been engaged in a riot which produced the first discharge of fire arms with intent to kill, in this part of New York ; and which was turned to the disadvantage of the whigs by a signal from Johnson Hall, which was known to be for calling out the knight's tenants in martial array.

Dismissed by the people, White was re-commissioned by Tryon ; but finding the committee more powerful than the governour, he fled to Canada. The whig committees governed the country with vigour and prudence. Still Sir John and his armed tenantry were at hand, and to be carefully watched. The partisans were neighbours, but little of neighbourly love dwelt among them. Of the whig committeemen Christopher P. Yates and Nicholas Herkimer, are names subsequently distinguished in our annals.

The agents of England felt themselves strong enough to require the inhabitants of the Schoharie Valley to arm in opposition to the cause of liberty, which was spreading in every direction, and the people were summoned to meet at the house of Captain Mann, and take the oath of allegiance to the king. Mann was strenuous in his exertions, and many took the oath required, some willingly, others overawed by armed tories and Indians. Some bolder than

the rest refused, and retired to their homes prepared for defence or suffering. Mann paraded his forces with red cockades and caps, indicative of loyalty, day after day, and was perfecting them to the amount of one hundred before his door, when a troop of horse under Captain Woodlake, arrived from Albany, for the purpose of putting down the tories of Schoharie. At the sight of this troop, Mann fled, and his soldiers threw away their red badges. Pursuit was ordered for the purpose of securing Mann; but it failed, and he escaped. The horsemen however fell in with a Mohawk chief called Neckus, one of Johnsons warm partisans, who had attended Mann's parade, and with tomahawk in hand threatened those who refused the oath and badge of loyalty. Neckus was killed with wanton cruelty, as is stated, and may easily be credited, and his death may have caused some of the subsequent cruelties exercised by the Iroquois in this devoted district.

While Tryon was on board the *Duchess of Gordon*, in the harbour of New York, he on the 3d of January 1776, wrote to the British government that he was informed by the person bearing his letter, that Sir John Johnson could muster 500 Indians to support the English government, and these with some regulars might retake the forts. The letter of Sir John enclosed was to Governor Tryon, informing him, that having consulted with all his friends in that quarter of the country, among whom were many old and good officers, he had resolved to form a battalion, had named the officers and engaged many of the men. That he waits till support and supplies are at hand, before openly avowing this plan.

It will thus be seen that General Schuyler's expedition was not too early or too rigorously executed.

At length the committee in September, informed the provincial congress of those proceedings on the part of Sir John Johnson, which produced the movement of General Schuyler in arms upon Johnstown, and resulted in Sir John Johnson's flight.

Sir John had fortified his house, armed his Scotch tenants, and carried on a correspondence with Guy, by means of Indian runners, who secreted letters in the heads of their tomahawks, and passed to and fro with impunity.

On the 26th of October, the Tryon county committee sent a deputation and letter to Johnson, requiring to know from him whether he would allow the inhabitants of Johnstown and Kingsborough to form themselves into companies as directed by congress, for the defence of the country; whether he would assist in the same; and whether he would resist the committee in any use they should make of the court house or jail?

The deputies reported in answer, that he considers the buildings in question as his property until he shall be paid £700, paid by him in building them. That he has not forbidden his tenants

forming themselves into companies as directed by congress, but he knew that they would not. As to himself, he would lose his head before he would lift his hand against his king. That if any unlawful use is made of the jail, he would oppose it. That two-thirds of the Canajoharie and German Flats people, were coerced into the measures of the committee; and that he considered the Bostonians as in open rebellion.

Sir John would not permit the committee to place prisoners in the jail; and they were obliged to dispose of them elsewhere. They informed the provincial congress of the state of affairs: to their communication it was replied by Nathaniel Woodhull, president, that they should not carry matters to extremes with Johnson; but appeal to the governour of the colony.

In the meantime, General Schuyler having been obliged to leave the army against Canada to Montgomery, and return in ill health to Albany, his attention was particularly called to the Indians by an act of hostility, the first committed by them in this contest, which had been perpetrated by the Mohawks near St. Johns. Some of the Indians engaged in this affair returned to the town of Canajoharie, the Mohawks castle, and boasted of killing Americans, particularly one called William Johnson, (probably the son of Sir William, who defined a gentleman to be one who drank Madeira wine and kept race horses, as Sir William did,) who had fought against Montgomery. In consequence of this the committee addressed the Mohawks of Canajoharie, remonstrating against this breach of the late treaty at Albany. The Indians replied, that they had not forgotten their agreements; but said some of their young men had been seduced to Canada, and if they are killed they care not—some have come back—and the sachems hope the whites will take no further notice of it. Shortly after they applied for the discharge of two Indians from prison, which it appears they were gratified in, in order to keep them quiet.

However, in December, congress made known to General Schuyler the information they had received respecting Sir John Johnson's preparations for annoyance, and required him to disarm the tories, secure their leaders, and secure the tranquility of the frontier. Congress appropriated *forty* hard dollars for this service, and ordered this treasure to be sent to the general under a guard.

General Schuyler having no troops wherewith to execute the orders of congress, and knowing that secrecy and despatch were necessary to his success, communicated his plan to a sub-committee of Albany county, administering an oath of secrecy; but advices arrived from Tryon county respecting the hostile preparations of Johnson, his Scotch tenants and adherents, as well as the Mohawks, that made secrecy unnecessary, and seven hundred of the militia were called out with the avowed purpose of disarming this internal

enemy. With this force the general marched, but before he reached Caughnawaga, his army had increased to three thousand. At Schenectady a deputation from the Mohawks met him. Schuyler had sent them a message informing them of his intention to march into their country, but with no design of hostility to them. At their meeting the usual form of making speeches took place. They acknowledged the receipt of his message, and his information that a number of men were embodied about Johnstown and Sir Johns, and intended to commit hostilities down the river; and that he was coming to inquire into the matter. They acknowledged that he had assured them no harm was intended to them; as they had the last summer publickly engaged to take no part against him in the dispute with the great king over the water. They proposed to Schuyler, that instead of marching his troops to Johnstown, he should send up six men to inquire into the truth of what he had heard, and send his soldiers home. They said that the council of their nation had sent them to meet him, and warn him to take care what he was about. They remind him again of their agreement to keep peace, and that he had said "if any person was found in their neighbourhood inimical to peace, he should consider such person as an enemy;" and the Six Nations thought he meant the son of Sir William, and they particularly desire that he should not be injured. They repeatedly warn the general not to spill blood, and say that they intend to observe the treaty made with him, and remain at peace. They say their chiefs had begged Sir John not to be the aggressor: that he had promised he would not. That he had but a handful of men, and could not be the aggressor; therefore, if Schuyler and his men should come up and any evil happen, they should look upon him as the aggressor, or as shutting up the path of peace. They denied that Sir John was making military preparations or fortifying his house, and asserted that every thing remained as in the time of Sir William. They profess a sincere desire for peace, but acknowledge that some among them are disposed to hostilities. They insinuate that if this hostile array proceed, they may not be able to restrain their warriors, who are determined, if Schuyler persists in going to Johnson-Hall, to be present at his meeting with Sir John, and the counsellors and chiefs could not be answerable for what might happen. The orator concludes, by saying, that he had persuaded the warriors to sit still, and await his return with the answer Schuyler might give him.

Schuyler answered them in their own fashion. The substance was, that he had hoped a previous message sent by him to the Six Nations had convinced them no hostile intentions were entertained towards them; and is sorry the Mohawks had not sent that message. That he had full proof that many people in Johnstown and

the neighbourhood had been making preparations to carry into execution the wicked designs of the king's evil counsellors. That the force he commands is not brought for war with the Six Nations, but to prevent it, by seeing that the people of Johnstown do not interrupt the harmony of the colonies with the Indians. That he will not injure the people of Johnstown, if they agree to such terms as shall give assurance of security to their neighbours. That he will not permit any of his followers to set foot on the Mohawk lands ; all he requires of them being that they do not interfere in the family quarrel of the whites. He reminds them that notwithstanding their treaty of peace, some of their warriors had attacked the Americans at St. Johns, and had been killed there ; which, he says, you did not complain of, as you knew it was right to kill them in self-defence. He says, in a little time, I and my friends may be called to fight our enemies to the eastward, and will it be prudent to leave our wives and children exposed to enemies here at hand ? We shall send a letter to Sir John inviting him to meet us on the road, and if every thing is not settled he shall return safe to his own house. He wished the Indians to be present at the interview ; but added, that if he is obliged to resort to force, and they join his enemies, they must take the consequence. He begs them to repeat all this to their council.

1776 The 16th of January the general despatched a letter to Johnson, saying that information having been received of designs dangerous to the liberties of his majesty's subjects in the county of Tryon, he had been ordered to march thither to contravene them, and wishing that no blood might be shed, he requests Sir John to meet him the next day on his way to Johnstown, pledging his honour for his safe conduct back and forth ; concluding with a message tending to quiet any apprehensions in the mind of Lady Johnson. Accordingly, the next day Johnson met the general on his march, and received terms requiring the delivery of all the cannon and military stores under his control, except his personal arms and ammunition therefor. That he should remain on parole in Tryon county. That the Scotch inhabitants immediately deliver up their arms and give hostages. That all presents intended by England for the Indians be delivered to a commissary appointed to receive them. If these terms be agreed to, Schuyler pledges himself for the protection of Sir John and the inhabitants of the county.

At first he blustered a little, and said the Indians would support him, and that some were already at Johnston-Hall for the purpose. To this the answer was, force will be opposed to force, and blood must follow ; on which Sir John asked time to consider until next evening, which was granted. Another Mohawk chief waited on Schuyler, and assured him that the Indians would not interfere except as mediators. The general then marched forward and

halted within four miles of Johnstown, where he received propositions from Johnson for himself and the people of Kingsborough, which were, that all arms belonging to Sir John and the other gentlemen should remain with them, all others to be given up. Of military stores belonging to the crown he says he has none. He expects to go where he pleases. The Scotch inhabitants will deliver up their arms, and promise not to take any without permission from the continental congress ; but they cannot command hostages. This is signed, J. Johnson, Allan Mc Dougall ; and dated, Johnson-Hall, 18th January, 1776. Schuyler answers, that this proposition cannot be accepted, and he must obey his orders. He at the same time sends a passport to Lady Johnson, with a request that she would retire. Time is allowed until midnight for another answer, and gentlemen sent to receive it. Soon after, the sachems of the Mohawks wait upon Schuyler and ask more time for Sir John's answer. This is granted for their sakes, and within the period fixed the knight agrees for himself and the inhabitants of Kingsborough to give up their arms, and that he would not go westward of German Flats and Kinsland district ; likewise, that six Scotch inhabitants may be taken as hostages. Sir John and the Scotch gentlemen pledge themselves, as far as their influence goes, for the delivery of the arms of the inhabitants, and Johnson gives assurance that he has no stores in his possession as presents to the Indians. Upon receiving the last answer, Schuyler told the Indians that all would be settled, and they might go home. On the 19th the general marched into Johnstown and drew up his men in a line ; the Highlanders were drawn up facing them, and grounded their arms. The military stores were surrendered ; and this service being performed, Schuyler and his militia returned. It was found afterward that the Highlanders had not delivered up their broadswords or their ammunition.

It was found that Connell who had informed congress that arms were buried near Johnston-Hall was an imposter. Schuyler returned with his motley army to Caughnawaga, and the days immediately following a number of tories were secured. Colonel Herkimer was left by Schuyler to complete the disarming of the hostile inhabitants, and the General marched back to Albany. Congress returned thanks to the general, and to the militia who accompanied him, but hoped they would not demand pay while suppressing a mischief which concerned themselves so nearly.

Notwithstanding his word of honour, the baronet continued his hostile intrigues with the Indians, and otherwise forfeited his promise. It was found necessary to secure Johnson, and in May 1776, Colonel Dayton was sent by Schuyler on this duty. The tories of Albany gave notice to Sir John of Dayton's march with

this regiment, and the knight with his followers fled to the woods and escaped to Canada; arriving at Montreal after nineteen days suffering and starvation. It seems strange that he should have supposed the Americans would permit him to remain plotting and executing mischief against his country without interruption; yet such appears to have been Johnson's expectation, for he made no preparation for flight. An iron chest with the family bible and papers was buried in the garden.* On arriving in Canada, the baronet was commissioned a British colonel; raised a regiment of Tories, and did all the mischief he could during the war to the state of New York. By taking part with Great Britain he forfeited an immense estate, but no part of his conduct leads us to believe, that in his choice he was governed by any motive that was not selfish; by breaking his parole he forfeited claim to the character of a gentleman; and his subsequent conduct through life was in unison with the last forfeiture.

Brant went to England in 1775, and Guy Johnson was supposed to have gone with him, but the Mohawks returned in time to take part in the affair of the Cedars, not strictly within any province, but mentioned in connection with Arnold. This affair, disgraceful to the American arms, and to English good faith, had the effect of rendering exchange of prisoners, which is one chief softening feature in grim visaged war, more difficult, and in causing congress to resolve upon the employment of Indians on their part.

The situation of the army of Canada when driven thence, and met by Gates on Lake Champlain, is fully and truly given by Stone,† and the conduct of Mr. John Trumbull, the acting adjutant general to Gates, was wise.

The preparations for defence made by the inhabitants of the Mohawk valley, were in proportion to their exposed situation as far as their limited means permitted. Cherry Valley, the principal settlement south of the river, and between the Mohawk castles and the Indian post of Oghnwaga, was much exposed. Here a company of rangers was organized, but being marched elsewhere, the destitute inhabitants earnestly remonstrated, and at length obtained Captain Wirm's company of rangers for their defence. Their committee were men of energy; and the names of Moore, Clyde, Campbell, Dunlop, Scott, Wells, and Ritchy, deserve a place in New York history. They had intimation of the preparations

* Mr. Stone, in his history of Brant, tells us in a note, that Mr. Taylor, afterward Lieutenant Governour of the state, purchased at auction this Bible, among other confiscated property, and with proper feeling let Sir John Johnson know that the book was at his service: the English baronet sent a person for it with money to pay for the purchase, with no other direction, but "pay for the book and take it."

† Vol. I, p. 164.

making by Johnson and Butler for their destruction, and even those who from age or infirmity were exempted from military service, organized and armed themselves for self-defence.

Fort Stanwix was the care of Schuyler. Situated in the present village of Rome, at the head waters of the Mohawk, and of Wood Creek, it had been chosen in the former French war, as a post for the command of the carrying place between the river and the creek leading to Lake Ontario, through the Oneida Lake and Oswego River. Colonel Dayton, who had been stationed with his regiment at Johnstown, was ordered to repair and finish the works at Fort Stanwix, and the Tryon county militia, were called out to assist him. Colonel Van Schaick with his regiment was quartered at German Flats.

Fort Stanwix had been erected by the general of that name, in 1758, at an enormous expense for those days, upwards of one hundred thousand pounds. It was at this time in a ruinous state, but was put in a state to sustain the siege which I shall have to record.

The narrow piece of land between the waters flowing to the Hudson and those running to the St. Lawrence, was likewise fortified, by the redoubts of Fort Ball and Fort Newport, named from officers of 1755, but Fort Stanwix was a great guardian of this important pass from Canada to the valley of the Mohawk.

1777 I have previously mentioned that the great council of the Iroquois was held at Onondaga. Here the chiefs of the confederated nations met at stated times, to consult and determine on peace or war, alliances with the English or French colonists, and all the affairs that concerned the union. In the figurative language of the Indians, here the great council-fire was kept ever burning; but it appears by a speech of the Oneida chiefs to Colonel Emore, delivered at Fort Stanwix, in January, 1777, that the council-fire was now extinguished, which as I understand it, is, that the confederacy was dissolved. Never after did the chiefs meet in council at Onondaga. The Oneidas adhered in part to the American cause, the other tribes, under the name of Mohawks generally, were the followers of Brant, Butler, and Johnson.

Mr. Stone tells us, that this dissolution of the confederacy was announced by the Oneidas, with their desire that it should be communicated to General Schuyler, and to such of the Mohawks as remained in the lower castle. How this dissolution took place we are not informed, but it would appear that many of the Onondaga tribe then suffered death, either by violence or disease.

In the month of February, the inhabitants south of the Mohawk were alarmed by the gathering of the Indians at Oghkwoga, and Colonel John Harper, of Harpersfield, was directed by the provincial congress of New York, to ascertain their intentions. This

gentlemen was one of four brothers, who with a few companions settled in 1763, in this tract of country. He visited the Indians as directed, and they professed the most friendly intentions, by which he was deceived.

The Indians left the Susquehanna, and joined Johnson and Butler, who were collecting their forces at Oswego. Here by the orders of the British commander in Canada, a great council of the Iroquois was convened, and such of them as had engaged with Schuyler at the German Flats and Albany, to hold the chain of friendship inviolate with the colonists, were induced by the presents, the representations of the English agents, formally to enter the service of Britain, for the purpose of inflicting misery and murder upon the Americans. Each Indian received a kettle, a gun, a tomahawk, a scalping knife, plenty of ammunition, money in advance, and a promise of more for every scalp brought in.

Soon after this engagement, Brant led his warriors upon the settlements of the valley, breathing death and destruction; but as he lurked in a wood watching his destined prey, he saw a company of boys with wooden guns, parade in imitation of their fathers, and deceived by distance, mistook the children for soldiers ready to receive him. He drew off his redoubted Mohawks, and lingering in ambush between Cherry Valley and the Mohawk, performing no other exploit or mischief, but way-laying and murdering by a volley from the covert of bushes, a young man who had been sent to assure the people that succours were at hand, and a regiment ready to garrison the place next day. This youth and an attendant, were shot down by the warriors unseen, and Brant carried off the young man's scalp in triumph. This young officer was well known to the chief, and had been a neighbour. They were not only acquaintances, says Mr. Stone, but friends: and he further tells us emphatically, that this gallant officer was scalped by Brant's own hand, he had fallen from his horse wounded. The attendant messenger escaped.

On the 17th of July, General Herkimer seeing that the enemy were about to invest Fort Stanwix, issued a proclamation calling upon all the inhabitants to arm and repair to the field: except those above sixty, and they were ordered to take arms for the defence of homes, women, and children. Those refusing or disaffected, were to be disarmed and secured. Committee men and other exempts, were called upon to repair to the rendezvous. This call, and immediate approach of danger, from which there was no escape, produced their effects, and the militia turned out with some show of spirit.

CHAPTER III.

Gates, a British officer—An American officer—At Cambridge—At New York—Disputes the command with Schuyler—Hancock's letter.

HORATIO GATES was born in England, and was the son of Captain Robert Gates, of the British army ; so that both Lee and Gates were not only Englishmen, and in the British army, but sons of his majesty's officers. Gates received his first name from his godfather, the celebrated Horatio or Horace Walpole ; who mentions him as his godson, on an occasion hereafter to be noticed. What farther connexion Gates had with the family of the Earl of Orford, I do not know ; certainly he was in early life protected by high aristocratick influence, and had hopes from that class, of promotion of no ordinary character, until 1773. That he received a liberal education is evident from his letters. As early as 1749, he served as a volunteer under General Edward Cornwallis, who commanded in Nova Scotia as governour of Halifax. By him Horatio was appointed a captain-lieutenant in Warburton's regiment, and Cornwallis espoused his interest very warmly, offering by letters to his father, an advance of money for the purchase of a company for the young man. In this letter, directed to Captain Gates, Southampton street, London, he further says, that he has given his son an employment that will bring him in two hundred pounds a year. Four years after this, young Gates was in England, busily engaged in purchasing promotion in the army, and on the 13th of September, 1754, is dated his commission as captain of an independent company, at New York, late Clarke's. This is signed " Holderness," by order of George II. In 1755, Captain Horatio Gates had returned to America, and shared with Braddock in the disasters of Monongahela. Here the British officer was wounded in the shoulder, and conveyed to Mount Vernon to be nursed and cured, as his friend Lee had been to the mansion of Schuyler.

Previous to leaving England, the young captain had married Miss Phillips, the daughter of an English officer. In the years 1756, '7 and '8, Gates was on service in the western part of the province of New York, and in the last of these years received the

appointment of brigade-major from General Stanwix. During these years Major Gates held the independent company stationed at New York, which he purchased of Captain Clarke.

James Abercrombie writes to him, giving some incidents of the war, and saying that the provincials through ignorance missed an opportunity of defeating the French force near Fort Edward. He says, they are averse to "a junction with the king's troops." "Since they are unwilling to take our assistance, I would e'en let them try it themselves, but have regulars to secure the fools in case they should be repulsed."

In 1760, General Robert Monckton was commander-in-chief of the troops at New York, and he appointed Major Gates one of his aids. The major being in Philadelphia in October of this year, Governour Boone of New Jersey wrote to him.

"October 13th, 1760. Poor Delancey ! have I written to you since his death ? General Monckton is talked of for the government, (of New York,) and desired. Pownal is expected and dreaded. General Gage is said likewise to have applied. Speaking of the colonists, he says, their politicks are confounded, and their society is worse, by the loss of the best companion in it. Oliver is in the council, and Jemmy Delancey, no longer a soldier, is a candidate for the city."

The troops destined to attack Martinique were encamped on Staten Island, under Monckton's command : and General Amherst came on from the north to succeed Monckton as commander-in-chief. Strange as it may appear, on Staten Island, Amherst was invested with the insignia and title of a knight of the Bath, by Monckton ; due authority having been received from government. Monckton and Gates departed for the West Indies, and Sir Jeffery remained commander of the troops in the province. Monckton took Martinique, and despatched Gates with the triumphant news to London, which of course gained him promotion ; and on the 26th of April, 1762, Mr. Townsend informs him that he is appointed to be major to the forty-fifth regiment of foot. It was on this occasion that Horace Walpole, by way of *badinage*, claimed credit for the capture of Martinique, as his godson and namesake brought the news. The connexion of Gates and Lord Orford appears mysterious. Major Gates remained several months in London, much dissatisfied with the promotion he had attained, and assiduously endeavouring, by petition and the influence of friends among the nobility, to obtain something more lucrative ; but his success was not equal to the efforts made, and he returned to America as major of the forty-fifth. He had been successful in disposing of his company of independents ; for in August, 1763, these companies had been disbanded, and Gates is congratulated as being "out of the scrape."

He made frequent applications to the war office, and in August, 1763, gained Amherst's very reluctant leave of absence to go to London. He does not appear to have been a favourite with Sir Jeffery, who fairly tells him that his desire to leave his station appears to be only "dictated by his own interest." His hopes were with Monckton, and he was assured by one of his correspondents that the general had undertaken his affair. The leave of absence was communicated in these ungracious words: "If you are determined to go, you have his leave to settle accordingly." And, accordingly, the major was in England before November 22d, 1763. At which time the historian of New York, writes to his friend Gates:

"Such a retreat as that in which, he says, 'with the aid of Bacchus, and in the pride of philosophy, we laughed at the anxieties of the great.' He says, we in America want aid, 'not to maintain the dependency of the colonies, for you know, saucy as we are, there is nothing to fear on that account.' 'Sir William Johnson is continually terrifying us with the defection of the Six Nations: but, thank heaven, those barbarians love themselves too well to throw off the mask of friendship. Amherst has left New York.' He praises Boone, and reprobates the cowardly expedient of the English ministry in removing governours because the people disliked them. He says, Colden, for want of purse, and more for want of spirit to imitate Monckton, has retired to Flushing. The little star does not yet appear, the twilight of his predecessor is still too strong to permit such a twinkling luminary to glitter. In another letter to the same, he continues in the like strain. Mentioning Morris's death, on the 27th of January, 1764, he says, 'Gay in the morning—dead in the evening. He came out to a rural dance, he took out the parson's wife, danced down six couple, and fell dead on the floor, without a word, a groan, or a sigh.' He then goes on to mention the prominent men of the time in New Jersey, where this happened. 'Franklin has put Charles Reade in his (Morris's) place on the bench, and filled up Reade's with John Berrian, a babbling country surveyor. Franklin after Boone—after Morris, Reade!' He afterwards says, 'the first errour is on your side of the water,' (England.) That is, as he says, in recalling Boone because of his contest with a proud, licentious assembly. We are a great garden—constant cultivation will keep down the weeds; remember they were planted by liberty and religion near a hundred years ago; there are strong roots that will soon despise the gardener's utmost strength. When Great Britain loses the power to regulate these dependencies, I think 'tis clear she will have no other left. He concludes by calling for governours and judges of spirit and abilities."

In November, 1764, he was appointed to a majority in the Royal Americans, as a special mark of his majesty's favour, as is

announced to him from the war office; and in December he received permission to remain four months in England. Soon after, through his agent, he received proposals from a captain of dragoons, offering £3,000 for his majority; and not long after, in a letter written by a relative, it is mentioned that he had sold out on halfpay. He still remained in England, evidently expecting promotion through the interest of General Monckton, and his brother, Lord Galloway, and probably, by the influence of his godfather. His friends in New York point out offices for him to apply for, particularly that of paymaster-general, as, says one, "Abraham Mortier goes to England next spring, with his fat lady; my friend, could you not contrive to get his place—he has made a fortune."

Mortier built a house which once was the head-quarters of Washington, called Richmond Hill, at that time surrounded by a park, and situated on an eminence, now the corner of Varick and Charlton streets, on a level with its neighbours, surrounded by houses, and called the Richmond Hill theatre. This place was then, and until a few years, far out of the city.

In 1766, the major's father died; and by the letters of General Monckton, it appears, that the hopes of the general are deferred, and of course those of Gates; who now looking for an appointment under his friend, resided with his family in retirement.

In 1768, Major Gates was in London, and waiting the result of Monckton's expectations; and Gates about this time sold his halfpay and commission to Monckton's younger brother: and was in expectation of accompanying the general to the East Indies; but delays occurred, and the years 1769 and '70, we find the Major still living in retirement, and expectations of a post under Monckton, who being disappointed in his East India scheme, receives the office of a reviewing-general, and endeavours, in the latter part of 1770, to obtain the post of town-major for Gates, and this failing, Monckton (having his hopes revived as to the East) renewed his promises to his expectant protegee; as late as July, 1771, he writes thus, in answer to Gates: "You know it has not been in the least in my power to serve myself, and therefore could not do what I wished by you. What you have heard about the East Indies is partly true; but whether or not I shall succeed is very uncertain. I can only assure you, that should it succeed, you are the only one I have as yet thought of." And in December, "I am sorry to inform you the East India matters do not go on so well as I could wish. You need not hurry yourself to come up till you hear from me again." In 1772, Major Gates having given up all hopes of a place under the king's government, and his former commissions having been sold, resolved to emigrate to Virginia; where, in Blakely county, he purchased and resided in 1773; and until,

as we have seen, he and his friend Charles Lee, likewise a purchaser in the same county, visited General Washington at Mount Vernon.

We have seen that General Lee was sent on to prepare New York for defence, and while he was thus employed, the commander-in-chief thought of him as a fit person to supply the loss of the brave and generous Montgomery, in Canada. About this time General Gates wrote to Lee from Cambridge. Some extracts from the letter will be of service to us. It is dated from Headquarters, February 26th, 1776. Speaking of Fort George, at New York, he says, "I like your intention of making the fort an open redoubt; I think some heavy guns upon the south and west sides, with good sod merlons, will make the men-of-war keep aloof. It is a pretty high situation, and battering it at a distance, over the lower batteries, would have but little effect. Clinton, I am satisfied, went to see how affairs were circumstanced at New York, to consult with Tryon, and to prepare the way for Howe's reception. We shall march with the utmost expedition to support you. Little Eustace is well, but nothing is done for him as yet. You know the more than Scotch partiality of these folks. I have had much to do to support the lad you put into Colonel Whitcomb's regiment. They have no complaint in nature against him, but that he is too good an officer." By this is seen what Gates's feelings were towards the New England men, yet he had the art to conciliate their favour and use it to supplant others. Shortly after this, General Lee was ordered to Charleston, South Carolina, to oppose Clinton; so that he being employed in the south, and Schuyler at the north, Putnam, as the only remaining major-general, had command in the city of New York. He made his head-quarters in a house left vacant by the owner, Captain Kennedy, of the British navy, being the first house in Broadway, since enlarged, and known as No. 1. But General Washington soon arrived, and fixed his head-quarters in the house built by Mortier, the English paymaster-general, who, as we have seen, had made his fortune and gone to England.

Gates had conceived his plan of overthrowing the commander-in-chief, and supplying his place, while at Cambridge, and adjutant-general. Immediately on receiving that appointment he accompanied General Washington to New York, with the two major-generals, Lee and Schuyler, and the latter having been charged with the northern department, Gates proceeded with Lee and Washington to Cambridge.

The blockade of Boston continued until the spring of 1776,* during which, Mrs. Gates who was no beauty, but a woman whose

* Communicated verbally, by Governour Morgan Lewis, who was present.

ambition was as great, and her talent for intrigue greater than her husband's, saw the court paid to the commander's lady and others, with an evil eye ; and though glad in England to see Gates a fort-major, now saw even Israel Putnam, take rank of him. Gates applied to congress for the rank of major-general, and supposed himself not supported by General Washington : Mifflin was likewise disappointed, and both vowed revenge, and joined in enmity to the commander-in-chief.

Gates had been about one year in the service, when congress appointed him a major-general, and directed that he should take command in Canada to replace Montgomery.

These troops had been forwarded by Schuyler with the intent of commanding them himself in that expedition, but sickness preventing, they had been intrusted to the gallant Montgomery. They were now (under the command of General Sullivan) ordered by the commander of the department (Schuyler) to Crown Point ; where, in the condition of a sick, dispirited, and defeated army, Gates found them ; he not only superseded Sullivan in the command of this force, but affected to consider himself independent of, if not superiour to, Schuyler. Gates had assumed the style and mode befitting the chief officer of a great department. In one of his letters to Washington, he says, "I must take the liberty to animadvert a little upon the unprecedented behaviour of the members of your council to their compeers of this department."

He had, during the blockade of Boston by the eastern troops, used those arts which Montgomery said were so averse to his character. Gates could "wheedle and flatter." His manners were specious, as were his talents, and he was indefatigable, by writing and otherwise, in his efforts to attach to himself the eastern members of congress, and other men of influence. He was the boon companion of the gentlemen, and the "hail-fellow, well-met," of the vulgar. He saw from the first that Schuyler was unpopular in New England, who was like his friends Montgomery and Washington, unfitted for wheedling, flattering, and lying ; and besides had, in the preceding disputes between the province of New York and New England, maintained the rights of the people who had sent him to the legislature. Gates knew at this time that several members of congress wished him to supersede Schuyler. Elbridge Gerry had, by letter, declared that he wished him to be generalissimo at the north. Messrs. Lovel, Samuel Adams, and others, were his adherents. He kept up a correspondence of a friendly nature with John Adams, but there is no evidence of that great man having appreciated him to the disadvantage of Schuyler. He had sounded Adams as to the character of Robert Morris, and

received a high eulogium in answer. Shortly after, Robert Morris wrote to Gates, and speaking of the disasters in the north, he says, "I find some people attributing this to a source I should never have suspected : is it possible that a man who writes so well and expresses so much anxiety for the cause of his country as General S——r does—I say, is it possible that he can be sacrificing the interest of that country to his ambition or avarice ? I sincerely hope it is not so, but such intimations are dropped."

Gates gained, and attempted to gain, men of influence as agents in his plans of ambition. Connecticut was then a most efficient member of the union, and Governour Trumbull, as steady a patriot as any on the continent, was the friend of Washington and of his country, but placing great reliance on Gates. He had three sons at this time in the service ; if more, I know not. One of these young men was appointed a paymaster-general, another a commissary-general, and the youngest was appointed by Gates, soon after he received his commission of major-general, (which was the 24th of June, 1776,) and was empowered to make such an appointment for the army in Canada, his deputy adjutant-general ; and this young gentleman he took on with him and retained, although there was no longer an army in Canada, appointed the youngest son of the governour of Connecticut, his deputy-adjutant-general, and Morgan Lewis, whose father was a member of congress, his quarter-master-general. Mr. Joseph Trumbull, the commissary-general, was appointed by the same authority to furnish supplies for the northern department, of which, as has been seen, Schuyler was the commander ; and notwithstanding that *that* general had a commissary-general, Mr. Livingston, of his own choice, Gates had influence enough to force Mr. Joseph Trumbull upon him. All this secured to him the attachment of a powerful family, and of the state of Connecticut, where the good old governour was justly esteemed for talents and patriotism.

Schuyler issued his orders for the relief and safety of the army in Canada, now driven back to his immediate department and command. Gates, on his arrival, refused to submit to the authority of Schuyler, who met his unauthorized disobedience in the most courteous manner, and although the commission of Gates was in such plain terms that none but the wilfully blind could fail to understand it, Schuyler offered to refer the matter in dispute to congress. I have had an opportunity of transcribing part of a letter written by Commissary-general Trumbull, to his patron, which throws light on the subject, and on the characters of the parties concerned. The letter is addressed to Major-general Gates.

He mentions letters received on the subject of his department, and says, 'by which I find you are in a cursed situation, your au-

thority at an end, and commanded by a person who will be willing to have you knocked in the head, as General Montgomery was, if he can have the money-chest in his power. I expect soon to see you and your suite, back here again.' He adds, that he has shown these letters from his deputy-commissaries to General Washington, and told him that he would order his agents back again; as a deputy, who could have no money from anybody but General Schuyler, could be of no use in that part of the world: further, he says, he told the general he would 'not be answerable for the consequences where his authority and the chief command were both disputed.'

Such were some of the difficulties which Schuyler and Washington had to contend against. The reader will remember the extracts from the letters of Montgomery, and can judge how differently that gallant officer and good man thought of Schuyler, who is here charged with avarice and speculation, if not directly, certainly by implication. Yet we know that this high-souled gentleman advanced his own money for the publick service when the envied chest was empty; and saw his houses, mills, and plantations at Saratoga, committed to the flames by the enemy, without regretting any sacrifice for his country's service. One would suppose, that mean suspicion could not add to this, yet I find the charge against Philip Schuyler of intercepting the letters forwarded by congress to the friends of Gates! It was thus that Schuyler and Washington had to contend against internal as well as external enemies. As early as January, 1776, this persecuted patriot wrote to his friend and commander, "I could point out particular persons of rank in the army, who have frequently declared, that the officer commanding in this quarter, ought to be of the colony from whence the majority of the troops came." He says, he has come to the conclusion "that troops from the colony of Connecticut will not bear with a general from another colony." He laments the "unbecoming jealousy in a people of so much publick virtue." Writing to the same, in May, 1776, he alludes to the clamour raised against him, which had been attributed to artful practices of the tories, and says, "I trust it will appear that it was more a scheme calculated to ruin me, than to disunite and create jealousies in the friends of America. Your excellency will please to order a court of inquiry the soonest possible." He had before said that he had reason to apprehend that the tories were not the only ones who propagated evil reports respecting him. He afterward knew full well who were leagued against him.

Schuyler had ever been a champion for the rights of New York: and much of what he terms a general aversion to men of other provinces, was personal enmity to him. This was fostered and increased by the arts of a foreign officer, to whom these Americans looked up as almost the only leader whose knowledge could save

them. It will be recollected that this was early in the struggle. People had no confidence in their own military skill, and saw in Charles Lee and Horatio Gates, men possessing that knowledge which raised them above any provincial. We must recollect that Americans had heard for years of their own inferiority, and of the immense advantages possessed by the British officers. Therefore, it was not unnatural that men who felt their own deficiency in military tacticks (and had almost been made to believe that they were an inferior race, compared to Europeans) should look up to those who had seen some service.

John Hancock wrote to him, that congress having considered Schuyler's letter to Washington, laid before them by the mutual agreement of the parties disputing, had resolved that his command was totally independent of General Schuyler's, while the army was in Canada. "Your letter of the 29th was delivered to me within this half hour. I experience the finest feelings, from your friendly declaration. You will never, my dear sir, out-do me in acts of friendship." In the mean time the expectations of General Gates were more than kept alive by his eastern and other friends; Elbridge Gerry wrote to him from Hartford, "we want very much to see you with the sole command in the northern department, but hope that you will not relinquish your exertions until a favourable opportunity shall effect it." He had previously offered to give him information of the measures of congress, their causes and moving principles. Samuel Chase writes from congress, "I wish you would inform me of your suspicions, and disclose the secret springs which you suppose have influenced men and measures in your department." Schuyler, meantime, was sensible of the prejudices against him, and of the jealousies kept alive by machination. Sincerely willing to retire, he kept his post and encountered all the difficulties of this unfortunate northern campaign.

CHAPTER IV.

General Gates at Ticonderoga — Arnold — His efforts against Carleton.

ON the 3d of August, 1776, Schuyler writes to Gates as to a friend, lamenting that he should be the object of envy, when his wish is to be in a private station. He says, that "the conclusion of the last campaign I begged leave of congress to retire, and in confidence communicated to General Washington my more immediate reasons for it." He laments that he was persuaded to continue.

Surrounded by difficulties, which were rejoiced in and increased by the man to whom he communicated them, General Schuyler wrote to Gates that he had notified congress and General Washington, of his determination to resign his commission, and insist on a hearing. He says, "My countrymen will be astonished to find that I shall not only clearly exculpate myself of all infamous charges laid to me, but point out that it ought to be bestowed elsewhere." At this time Joseph Trumbull writes to Gates: "I find that General Schuyler is about to resign; I congratulate you and myself thereon."

While forwarding the service of his country on Lake Champlain, he was engaged, as he says in a letter to Washington, "on business the most disagreeable, to a man accustomed to civil society, that can be possibly conceived." A whole month, at the German Flats, was he endeavouring to secure the neutrality of the Indians by speeches and presents. He says, he "believes the Six Nations will not fall on the frontiers:" but he was, at the same time, preparing for defence. To congress he complains, that his character had been barbarously traduced: he asks for a committee to inquire how far the miscarriages in Canada, if at all, are to be imputed to him. He says, "conscious of the mediocrity of my talents, and that I am vastly inadequate to the command I am honoured with, yet, on this occasion, I may be allowed to say, that I do not believe that I shall even be convicted of an error of judgment. Confidence of the army, in me, I know, is, in a great measure destroyed, by insidious insinuations, industriously propagated by a set of miscreants." September 14th, he tenders his resignation to congress: "I am still willing to meet any inquiry. Oppressed as I have been

by calumnies, I shall be always ready to do the duties of a good citizen, and to give my successor all the information and assistance in my power."

Congress would not accept his resignation. Still, their conduct towards him was so unsatisfactory, that but for events on Lake Champlain, that called upon his patriotism, he would have retired in disgust.

Arnold when last mentioned, was before Quebec with the unfortunate gallant Montgomery. As soon as the news of the attempt upon the capital of Canada reached congress, they promoted Arnold to the rank of brigadier general. Ever worthy of praise by his courage and enterprize, he was at the same time obnoxious to censure for turbulence and rapacity.

Major Brown had been one of those who opposed the pretensions of Arnold, at the time of the capture of Ticonderoga by Ethan Allen. By the death of Montgomery, Brown, who had accompanied that amiable man to Quebec, was placed under the command of Arnold, little prone to forgiveness, or scrupulous in the means of inflicting injury. He wrote letters to certain members of congress, charging Brown with having plundered the baggage and property of prisoners taken in Canada. This being made known to Brown, he applied successively to Generals Wooster, Thomas and Gates, for a court of inquiry: but Arnold had influence enough to prevent this mode of wiping off the stigma he had inflicted, and even to induce Gates to evade the orders of congress, which Brown, now a colonel, had obtained for his redress. Baffled in all his attempts to obtain justice, the injured man published a narrative of the affair, after having demanded the arrest of Arnold on a series of charges, including "numerous misdemeanours and criminal acts during the course of his command." Arnold, who always had the words honour and innocence at command, even to the last of his life, never, during the course of these charges by Brown, demanded a court of inquiry upon his own conduct, although that was the obvious mode of proving both his innocence and honour.

Arnold having been superseded in command before Quebec, by the arrival of General Wooster in April 1776, pleaded his wounds, and was removed to Montreal, where he again had the command. The enemy were soon approaching in force. The "affair of the Cedars," where to use the words of Mr. Sparks, "nearly 400 men surrendered, and a hundred more were killed or taken in a brave encounter," called forth the spirit and activity of General Arnold. On the 26th of May he arrived at St. Anne's with 800 men. He had sent a message by some friendly Indians, to the hostile savages on the other side of the river, demanding a surrender of the American prisoners, and threatening if any murders were committed

that he would put to death every Indian he took. His messengers returned with a threat in answer, that if Arnold attempted to cross to the rescue of the prisoners they held, every one of them, 500 in number should be sacrificed.

Arnold was not a man to be deterred by a threat. He manned his boats and pushed for the Island where the prisoners had been confined. On landing he found five American soldiers, naked and almost famished; the other prisoners had been removed to *Quinze Chiens*, five miles lower on the river, except two, who being sick, had been butchered. Advancing with his boats to *Quinze Chiens*, he found the enemy prepared to receive him and prevent his landing. Major Foster was then commander, who with two field pieces, forty British troops, one hundred Canadians, and four hundred Indians, repulsed the Americans, who retired to St. Anne for the night, it being determined to attack the enemy as soon as the light of morning permitted. But at midnight arrived an officer with a flag, bearing articles which had been entered into between Major Sherburne, the superiour officer among the prisoners, and Major Foster; who had prevailed on Sherburne (by assurances that he could not controul the Indians, and that every prisoner would be massacred the moment their friends approached to rescue them) to sign articles by which it was stipulated that the prisoners should be released on parole in exchange for British prisoners in the hands of the Americans: the Americans were not again to take up arms, and should pledge themselves not to give any information by words, writing or signs which should be prejudicial to his majesty's service. This clause Arnold rejected, but in consideration of the barbarous threat which had induced Sherburne to sign this agreement, he consented to the other articles, by which six days were allowed for sending the prisoners to St. Johns: four American captains were to go to Quebec and remain as hostages, till the exchange could be effected, and reparation was to be made for all property that had been destroyed by the continental troops. Such were the articles imposed upon prisoners in his power by a British officer, as the only means to prevent indiscriminate slaughter by his followers.

Arnold returned to Montreal, and held that post until the American commander in Canada had made a precipitate retreat to Crown Point. Having sent off his troops he reserved a boat for himself, and mounting his horse, he rode with his aid, Wilkinson, two miles to view the approaching army under Burgoyne: they, after reconnoitering, dismounted, stript and shot their horses, and embarked in the boat that attended them. Arnold—that he might be the last man to retreat from the hostile shore—pushed off the boat himself, before springing into it. It was night before he overtook the army at *Isle-aux-noix*.

Although Benedict escaped with life from Montreal, charges were brought against him for conduct which accorded with his former character for dishonesty and rapacity, and which would have consigned him to merited ignominy, but that his military and naval skill, his courage and activity, were wanted to place as a barrier against the advancing enemy ; and Gates, to whom the defence of the lake had fallen, felt himself unequal to the task without Arnold's assistance.

When Arnold saw that Canada must be given up, he seems to have determined to make the most of his command at Montreal. Under pretence that the goods of the inhabitants were wanted for public service, he seized them—the owners names were inscribed on the parcels with the promises of payment by congress, and thus were hurried off to Chamblée, where Colonel Hazen commanded, with orders to forward them to St. Johns, and thence by water to Ticonderoga. Hazen, as is said, refused to meddle with these goods thus forced from the owners, and when he did take them in his charge, left them exposed to injury and plunder. The owners followed with invoices of what had been taken. General Arnold was censured for seizing the merchandize, and he accused Hazen of disobedience of orders in not preserving them from injury. A court martial on Hazen was the consequence, which refused to receive the testimony of Arnold's agent, who had received the goods, he being as they alledged a party concerned. The general wrote an insolent letter to the court. They demanded an apology, which was insultingly refused, in a kind of challenge to the individuals ; the court appealed to Gates, then in command, but he abetted Arnold, dissolved the court, and appointed him to the command of the flotilla that was to oppose the invasion of Carleton. The court before separating, acquitted Hazen with honour, thus informally censuring Arnold for the seizure of the merchandize at Montreal. This was probably all the satisfaction that the owners obtained.

If Arnold's previous character had been that of a conscientious and honest man it is probable that he would not have been judged so hardly in this affair : for letters are extant, which prove that "he was not practising" as Mr. Sparks observes, "any secret manœuvre in the removal of the goods, or for retaining them in his own possession : " yet on the other hand, he well knew, that by the articles of capitulation agreed to by General Montgomery, the citizens of Montreal were to be secured in all their effects ; and as to the plea of these goods being for publick service, it was publickly known that silks and other articles were seized little needed for the wants of any army.

Gates had by order of congress taken command of the northern

army, as mentioned.* Schuyler gave his effectual aid in preparing the necessary defence of the country, although sensible of the injustice done him. Arnold repaired to Albany for the purpose of giving the commander in the northern department information of the state of affairs after the retreat of the American army; and he had scarcely time to tell his tale to General Schuyler, as the officer entitled to hear it, before Gates arrived, as appointed head of affairs, and the tale had to be retold to him. Schuyler accompanied his successful rival to Crown Point, to give him the instruction and information the service required. Arnold went with them.

It was after General Schuyler's departure to prepare for the defence of the western frontier of the state, that the decision of the court martial threw censure upon Arnold, and the dictatorial orders of Gates silenced that censure, and placed him as admiral of the flotilla, which was prepared and preparing, to prevent the progress of General Carleton.

By the exertions and influence of Schuyler, (although necessarily absent from the lake) and the indefatigable activity of Arnold, this extraordinary man, before the middle of August, saw himself a second time commander of a flotilla, upon the inland sea, which for so many years was the high road for hostile armaments to and from Canada. He now had absolute control over three armed schooners carrying 28 guns, a sloop mounting 12, and five gondolas with three guns each.

Gates had ordered the commodore general to take his station at the Isle aux tetes. The order stated, "that as the present operations were designed to be wholly on the defensive, the business of the fleet was to prevent or repel a hostile incursion; but not to run any wanton risks, or seek an encounter within the enemy's territory." Arnold was prohibited, in positive terms, not to advance beyond the station above named—where there was a narrow pass in the lake supposed to be defensible. But Carleton not only created a stronger naval force than that of Arnold, but had anticipated him, by seizing this pass, and occupying the island and both shores of the lake with his land forces.

This disposition of the enemy was seen, on the arrival of the American fleet at Windmill Point; and there Arnold took his station, mooring his vessels in a line across the lake.† Thus finding that he was exposed to annoyance from the main land—his adver-

* In a letter from John Adams to Gates, from Congress, dated June the 18th, he says, "We have made you Dictator in Canada, for six months, or, at least, to the first of October."

† I find a manuscript letter from Arnold to Gates, dated Windmill Point, September 17th, in which he says, that his fleet has six days provisions, and that he

sary having the command of the shores, with a superiour force—he retired up the lake eight miles, choosing a post at Isle-la-Motte, more favourable for opposition to his adversary's fleet, and out of reach from the land forces. The men of whom he had the command, were not such as he could confide in. He wrote to Gates, September 21st, a letter, which I find in the Gates' papers, saying, "the drafts from the regiments at Ticonderoga are a miserable set. Indeed, the men on board the fleet are not equal to half their number of good men." His force had been increased since leaving Crown Point, and before the action of the 11th of October, consisted of three schooners, two sloops, three galleys, and eight gondolas. On the morning of that day, his guard boats gave notice that the enemy's fleet was in sight, off Cumberland head, moving up the lake. A ship of three masts, two schooners, a radeau, one gondola, twenty gun-boats, four long boats, and forty-four boats with troops and provisions, soon made their appearance in formidable array. The armed vessels were manned by chosen seamen from the English fleet, which had arrived in the St. Lawrence with powerful reinforcements. To this overwhelming force, Arnold had to oppose men who were inspired with courage rather derived from their opinion of him, than their own strength.

Before the action became general, the Americans lost one of their schooners, which grounded, and was destroyed by her crew, who saved themselves. The largest English vessels were prevented from coming into the fight at first; but one schooner and all their gun-boats kept up a cannonade with grape and round shot, within musket fire of the American line, from half past twelve to five o'clock, when they were forced to retire. During this engagement, Arnold, in the Congress galley, was exposed to the severest fire of the enemy. Deficient in gunners, he pointed the guns of his vessel himself, and by his example encouraged his men to persist to the last, although his galley was cut to pieces by the shot of the enemy, and many of his men killed and wounded. The Washington galley was likewise disabled; one of the gondolas had her lieutenant killed—her captain and master wounded; another lost all her officers.* During the fight, the English had

expects the enemy. To strengthen his vessels, which were too low to repel boarders, he landed men to cut fascines; but they were attacked and beaten off the shore with loss.

* I derive from General Morgan Lewis the name of Abraham Nimham, of Stockbridge, who, as a gallant sailor and soldier was distinguished on this occasion. This man, and an Indian of the Montauk tribe, joined Arnold in his perilous Canada expedition. Nimham was a sub officer at the time of this naval fight, and was on board the boat, all of whose officers were killed. He took the command, managed her with skill, and fought her manfully. At the time of abandoning the boats, he was the last to run aground; but laid his boat so as to protect

landed a body of their Indians, who kept up a fire of musketry upon the American vessels. Sixty men were killed or wounded ; but the enemy had been repulsed.

It was evident, however, that the fleet could not withstand the force Carleton could bring against it ; and in a consultation of officers, it was determined to retire to Crown Point, and, if possible, not risk a second encounter. The British commander, knowing his advantage, brought up his larger vessels, before night, within a few hundred yards of the Americans, stretching his line in such a direction as he thought would prevent his enemy from retiring up the lake and avoiding his attack the next day. But the night proved uncommonly dark ; and Arnold, by a skilful movement, avoided the danger, and before light, had removed his little fleet at least ten miles from the enemy, bringing up the rear himself, in his crippled galley. At Schuyler's Island, the fleet was anchored to repair sails and stop leaks. Two gondolas were abandoned and sunk. In the afternoon they hoisted sail, the enemy pursuing ; but both fleets were nearly becalmed. Next day, Arnold found that Carleton was coming up with his gallies and four of his gondolas, all too much injured to sail freely, while the largest vessels of the enemy were uninjured, and carried a press of sail. The Washington galley was overhauled, and after a few broadsides, struck her flag. A ship of 14 guns, and a schooner of 14, bore up and poured their fire upon the Congress ; but Arnold, for four hours, maintained the unequal contest, until surrounded by seven of the enemy's vessels, he, as a last resource, ran his galley and four gondolas into a small creek on the east side of the lake, ten miles from Crown Point, and, as soon as they were aground, ordered his mariners to wade to the shore with their muskets, and keep off the enemy's small boats. He, ever the last man in a retreat, remained in his galley until the flames had made such progress that they could not be extinguished ; then, on the shore he maintained his attitude of defence until his vessels were consumed with their flags flying. This accomplished, he led his little band through the woods to Crown Point.

With defeat, the reputation of Arnold was increased ; every defect of his character was lost sight of, owing to the brilliancy which was shed around him by his daring and his military conduct. Men estimate that courage which protects them from harm, (even though it should proceed from insensibility to danger) at a higher value

others and annoy the enemy. When necessary, he swam ashore, and joined in every peril and every exertion. This gallant man was subsequently killed near White Plains. He had with a party been sent to hover near the British lines, when they were set upon by a large party of Buskirk's and Delancey's men, and cut to pieces.

than honesty, scrupulous attention to truth, deference to the rights of others, or any of the virtues on which the happiness of society depends. The moral courage of the wise and good never dazzles—it is appreciated by the few, and is unnoticed by the mass of mankind.

Arnold had lost the naval protection of the lake—he had sacrificed near a hundred Americans, who were either killed or wounded. The enemy owned a loss of about half the number. The gain was altogether with Carleton, who now commanded this high road into the heart of the country. But Arnold gained rather than lost reputation, by the event; and, as a military leader, he deserved the admiration his actions produced, while he appeared to exert his powers for the defence of his country from motives that were worthy of all praise.

This destruction of the naval armament of Lake Champlain, and the threatened attack upon Ticonderoga, again called forth all the energies of Schuyler, who forwarded reinforcements, and endeavoured to guard the country by its militia; but this last species of force was such to him as the commander-in-chief had found it, “a broken reed,” refractory, insubordinate in all things; they would neither march nor work, when ordered. But a sufficient show of opposition was made, to induce the British general to defer his attack on Ticonderoga; and, as the winter was approaching, (to avoid being frozen in the lake, where he would be certain of destruction from surrounding enemies,) he prudently returned to Canada, and relieved the good people of New York from their fears for the present. But the exertions of Schuyler and Arnold prevented the co-operation of Carleton with Howe.

CHAPTER V.

England buys foreign troops to help to subdue America—Her army repairs from Boston to Halifax—After being re-enforced, the army lands on Staten Island—The troops of Washington—Battle of Brooklyn, and retreat from Long Island.

1776 WHILE Schuyler and Arnold were contending with the powers of Great Britain in the north and west, Washington was engaged at New York with that mighty nation, and her purchased foreign hordes, from Germany.

A little book published by Ithiel Town, Esq., of New Haven, written by an English naval captain, who made one in the fleet which brought General De Heister and his army of Germans to this country, gives the only account of the fleets. The fleet and army of England awaited at Halifax a reinforcement; while Sir H. Clinton finding New York too strong, and Lee already there, sailed to Charleston, South Carolina, where he again found Lee; and after being beaten off by Moultrie, was in time to join Sir William Howe and his army at Staten Island. There he refreshed his troops and made preparation for attacking New York, awaiting the fleet of Lord Howe.*

* On the 14th of April, General Washington had arrived at New York, from Boston, after driving the British from that town. The army were on their march for New York. General Washington left that place by order of Congress to consult them in Philadelphia; and Putnam, as being the oldest major-general, was, during his absence, left in command. Before going, he required the committee of safety to prohibit all persons from communicating with the king's ships in the harbour, as being injurious to the American interest, and as the city was placed in a state of defence, not required by any prudential considerations. The committee accordingly issued their decree of prohibition, under penalty of being considered and treated as enemies to the country. Among the troops at this time in New York, was Captain Alexander Hamilton's company of artillery. The whole army at New York, in April, was but 10,235 men.

In June, some of the continental soldiers, by their riotous behaviour, drew forth a reprimand from the general. The king's ships were removed from the harbour to Sandy Hook, about the last of April. The 17th of May was observed, by order of Congress, as a day of fasting, humiliation, and prayer. On the 16th of May, Gates was promoted to be a major-general; and on the 19th, by direction of Washington, went on to Congress, with high recommendations from him to their "notice and favours." But Congress, wishing the presence of the commander-in-chief, he left New York on the 21st, under the command of Putnam, with directions for him to consult Gen. Greene—showing that Washington duly appreciated both men.

Gen. Howe had been joined by Governour Tryon, and many gentlemen from New York and New Jersey, who encouraged him with the hope that great numbers would gather in arms round his standard. He appointed Mr. Delancey, of New York, and Mr. Cortland Skinner, of Perth Amboy, generals of brigade; and expected from their influence a great accession of tories to his English army. In the mean time, Gen. Washington made every disposition in his power with his motley, undisciplined, and refractory troops, to meet this great and well appointed army. Gen. Mercer, with what was called the flying camp, was stationed at Perth Amboy, divided by a narrow channel from the enemy, whose sentinels were full in view.

The first troops that came to defend New York, were eastern—of whom Graydon* gives this description :

“The materials of which the eastern battalions were composed, were apparently the same as those of which I had seen so unpromising a specimen at Lake George.† I speak particularly of the officers, who were in no single respect distinguishable from their men, other than in the coloured cockades, which, for this very purpose, had been prescribed in general orders—a different colour being assigned to the officers of each grade. So far from aiming at a deportment which might raise them above their privates, and thence prompt them to due respect and obedience to their commands, the object was, by humility, to preserve the existing blessing of equality—an illustrious instance of which was given by Colonel Putnam, the chief-engineer of the army, and no less a personage than the nephew of the major-general of that name.—‘What,’ says a person meeting him one day with a piece of meat in his hand, ‘carrying home your rations yourself, colonel!’ ‘Yes,’ says he, ‘and I do it to set the officers a good example.’ But if any aristocratick tendencies had been really discovered by the colonel among his countrymen, requiring this wholesome example, they must have been of recent origin, and the effect of southern contamination, since I have been credibly informed, that it was no unusual thing in the army before Boston, for a colonel to make drummers and fifiers of his sons—thereby, not only being en-

Putnam had directions in case of the appearance of the enemy to forward expresses with all speed to Philadelphia. On the 3d of June, he directed Putnam to inquire for carpenters and materials for gondolas and fire rafts for the defence of New York. On the 7th of June, the commander-in-chief was again in New York, Gen. Schuyler was directed to engage 2,000 Indians for the service, but found his utmost endeavours necessary to prevent them from joining the English. He contrived to get them to a council, to meet him at German Flats, and make treaty with him. All the measures of Schuyler were counteracted by Sir John Johnson.

* “Memoirs of a Life, chiefly passed in Pennsylvania.”—p. 130.

† Vol. I p. 480. Graydon, p. 127.

abled to form a very snug, economical mess, but to aid also considerably the revenue of the family chest. In short, it appeared that the sordid spirit of gain, was the vital principle of the greater part of the army. The only exception I recollect to have seen, to these miserably constituted bands from New England, was the regiment of Glover, from Marblehead. There was an appearance of discipline in this corps; the officers seemed to have mixed with the world, and to understand what belonged to their stations. Though deficient, perhaps, in polish, it possessed an apparent aptitude for the purpose of its institution, and gave a confidence that myriads of its meek and lowly brethren were unable to inspire. But even in this regiment there were a number of negroes, which, to persons unaccustomed to such associations, had a disagreeable, degrading effect Taking the army in the aggregate, with its equipments along with it, he must have been a novice or a sanguine calculator, who could suppose it capable of sustaining the lofty tone and verbal energy of congress. In point of numbers merely, it was deficient; though a fact then little known or suspected. Newspapers and common report, indeed, made it immensely numerous; and it was represented that General Washington had so many men, that he wanted no more, and had actually sent many home, as superfluous. It is true, there were men enough coming and going; yet his letters of that day, demonstrate how truly weak he was, in steady, permanent soldiers."

General Washington, in a letter of 10th July, 1776, to the president of congress, says, that the battalions of the Connecticut militia will be very incomplete, and that *that* government had ordered three regiments of their lighthorse to his assistance; but not having the means to support cavalry, he informed the gentlemen that he could not consent to keep their horses, but wished "themselves" to remain. It appears that while the generality of the troops were employed with the spade and pickaxe, and the fine regiments from Pennsylvania were daily at work fortifying the banks of Haerlem and Hudson rivers, these highminded "Connecticut lighthorse," as the commander-in-chief says, "notwithstanding their promise" to continue for the defence of New York, were discharged, "having peremptorily refused all kind of fatigue duty, or even to mount guard, claiming an exemption as troopers." Of these cavaliers, Graydon says*—"Among the military phenomena of this campaign, the Connecticut lighthorse ought not to be forgotten. These consisted of a considerable number of old-fashioned men, probably farmers and heads of families, as they were generally middle-aged, and many of them apparently beyond the meridian of life. They

* Page 136.

were truly irregulars; and whether their clothing, their equipments, or caparisons were regarded, it would have been difficult to have discovered any circumstance of uniformity; though in the features derived from 'local habitation,' they were one and the same. Instead of carbines and sabres, they generally carried fowling-pieces—some of them very long, and such as in Pennsylvania are used for shooting ducks. Here and there, one appeared in a dingy regimental of scarlet, with a triangular, tarnished, laced hat. In short, so little were they like modern soldiers, in air or costume, that, dropping the necessary number of years, they might have been supposed the identical men who had in part composed Pepperil's army, at the taking of Louisbourg. Their order of march corresponded with their other irregularities. It 'spindled into longitude immense,' presenting so extended and ill-compacted a flank, as though they had disdained the adventitious prowess derived from concentration. These singular dragoons were volunteers, who came to make a tender of their services to the commander-in-chief. But they staid not long at New York. As such a body of cavalry had not been counted upon, there was in all probability a want of forage for their *jades*, which, in the spirit of ancient knighthood, they absolutely refused to descend from; and as the general had no use for cavaliers in his insular operations, they were forthwith dismissed with suitable acknowledgments for their truly chivalrous ardour. These gallant troopers performed one exploit in the city. They paraded at the corner of Wall and Queen streets, where Rivington's printing-office and dwelling-house stood, and entering the house, demolished the presses, and threw the type out of the windows, to be *distributed* by the mob who gathered in the streets."

Mifflin, who had passed on with Washington to Cambridge, as his aid, was now a brigadier, and commanded the Philadelphia regiments who threw up the works at fort Washington. Governour Lewis,* who was with Gates, as one of his staff, was sent by him to the south, and told to go to Mifflin and see him at his house, in Reading; but at all events to see him. He found him on horseback, directing the labourers; and the young man, having told his story, was desired to say to Gates, "neither Plutus, Rhodoman-

* Verbal communication from Governour Lewis to the writer. To avoid misapprehension on the part of the reader, it may be proper to note, that when Governour or General Lewis is referred to, the venerable Morgan Lewis is intended, who was an officer during the revolution—subsequently Judge—then Chief Justice of the Supreme Court of New York—then Governour of the State, (chosen in a hard contested election, but by a great majority, in opposition to Aaron Burr, in 1804) and finally a Major General in the army of the United States, during the last war.

thus, nor Minos, shall be more exactly obeyed, than I shall obey his directions."

"Will not your excellency write a line?"

"No. Write down my words yourself, and deliver them exactly."

"I did so," says Governour Lewis, "without understanding them, until Mifflin was Quarter-master General; and I dined at Reading, where he staid, under plea of sickness, entertaining the general officers in a style which I never saw equalled; and then saw the road to Washington's camp (where the troops were literally starving,) strewn with broken wagons, provision, and clothing."

When Congress promulgated the Declaration of Independence, it was of course read to the soldiers. The declaration was unexpected, and not so universally received with applause as is now conceived. Dickenson, the chairman of the committee, and supposed author of the Articles of Confederation, and known author of the famous Farmer's Letters, refused to sign the declaration of the 4th of July. Although wise and good men thought it necessary, many who had been officers and active committee-men, from that moment became tories or neutral.

The writer saw Heathcote Johnson, the grandson of that Caleb Heathcote, before mentioned, receive the command of the New Jersey company, first organized at Perth Amboy, and since has seen the draft made by him for immediate service. Yet this gentleman took office under the British government, in London.

Graydon, in his "Memoir of a Life,"* says:—"The Declaration of Independence, whose date will never be forgotten so long as liberty remains the fashion, and demagogues continue to thrive upon it, was, with the utmost speed, transmitted to the armies; and when received, read to the respective regiments. If it was not embraced with all the enthusiasm that has been ascribed to the event, it was at least hailed with acclamations, as no doubt any other act of congress, not flagrantly improper, would at that time have been. The propriety of the measure had been little canvassed among us; and perhaps it was to our honour, considered merely as soldiers, that we were so little of politicians. A predilection for republicanism, it is true, had not reached the army, at least the Pennsylvania line; but as an attempt to negotiate in our unorganized situation, would probably have divided and ruined us, the step was considered wise, although a passage of the Rubicon, and calculated to close the door to accommodation. Being looked upon as unavoidable, if resistance was to be persisted in, it was approved; and produced no resignations among the officers that I

am aware of, except that of Lieutenant-colonel William Allen, who was with his regiment in Canada. He called at our camp on his way to Philadelphia, where he appeared somewhat surprised and mortified, that his example had no followers."

Congress had determined to save New York city. The council of general officers resolved that New York should be defended. On the 22d of August, the British army landed at Gravesend.* Brooklyn was then a village, leading to the ferry between Long Island and New York. The American lines and encampment, which guarded this avenue to the city, extended from Gowanus Creek to the Wallabout, from water to water, or the high grounds commanding each.

The hills were at that time wooded, and extended from near Yellow Hook to the back of Jamaica. These were guarded, and especially the roads, which led to the encampment. The whole was entrusted to General Greene, who had formed the defences. At that time he was ill, and confined to his bed by a violent fever. General Washington, who expected a simultaneous attack on Brooklyn and the city, sent Putnam, his only resource, to command on Long Island; who, as Sullivan says, superseded him four days before the battle—he having previously the command at the hills, and never himself came beyond the encampment to see the ground.

On the 25th the commander-in-chief wrote to Major-general Putnam: that it was with no small degree of concern that he perceived yesterday a scattering, unmeaning, and wasteful fire, from our people at the enemy. No one good consequence can attend such irregularities, but several bad ones will inevitably follow. He says, fear prevents deserters approaching, and mentions other evils, which must forever continue to operate, whilst every soldier considers himself at liberty to fire when, and at what, he

* Mr. Wood has shewn us that in the seventeenth century, the inhabitants of Long Island were bold asserters of the liberties and rights of Englishmen: but he passes over the necessity which the conduct of many imposed upon the whigs of the eighteenth century—of sending General Heard, with the New Jersey militia, to disarm them, as enemies to the freedom of America.

From the very important tables of Mr. Wood, I extract notices of the population of Long Island, at different periods. In 1731, it was 17,820. In 1771—27,731. In 1786—39,863. In 1790—36,949. In 1800—42,167. In 1810—48,752. In 1820—56,978. In 1776, the population of the west end was tory.

The population of Long Island, compared to that of the city of New York, was, in 1731, two to one; the island having 17,820, and the city 8,628; but in 1810, it was reversed; the city had 96,378, and the island 48,752.

The proportion of population of Long Island to the province and state of New York, at different periods, stands thus. In 1731, it was one to three. In 1771—one to six. In 1786—one to seven. In 1790—one to nine. In 1800—one to fourteen. In 1810—one to nineteen. In 1820—one to twenty-four. Thus its relative importance decreasing from being one third to being one twenty-fourth, in eighty-nine years.

pleases. He instructs him in the mode of placing his guards, and appointing the duty of his brigadiers and field officers. He complains of the men burning and plundering houses. He directs that the wood next to Red Hook should be well attended to.

On the 26th Washington was at the lines on Long Island, and returned to the city in the evening.

In the meantime, on the 25th of August, or soon after landing, Woodhull, acting as general of militia, approaching the southwest end of the island to drive off the horses and cattle, fell into the hands of the enemy. He was so barbarously treated, after surrender, that he died of his wounds shortly afterward.

Nathaniel Woodhull was born at Mistic, Long Island, December 30th, 1722. He was, in early life, a colonel in the provincial army under both Abercrombie, and Amherst. He was the coadjutor of Schuyler and Clinton, in the New York Provincial Congress. He was early in the revolutionary war appointed a General, and ordered by the convention of New York to secure all the cattle on the west end of the island, and drive to the north and the east. With the aid of his brigade of militia he remained near Jamaica with from seventy to one hundred militia; and not being joined by more, nor receiving orders from the convention, he remained at his post until the 28th August, when he ordered the few men who were with him to retreat. He slowly followed, until he was made prisoner by a party of the enemy. He immediately surrendered his sword to the officer in command.

"The ruffian who first approached him,* (said to be a Major Baird, of the 71st) ordered him to say *God save the King*; the General replied, "God save us all;" on which he most cowardly and cruelly assailed the defenceless General with his broad sword, and would have killed him upon the spot if he had not been prevented by the interference of an officer of more honour and humanity. The General was badly wounded in the head, and one of his arms was mangled from the shoulder to the wrist. He was taken to Jamaica, where his wounds were dressed, and, with other prisoners, was confined there till the next day. He was then conveyed to Gravesend, and with about eighty other prisoners, (of which number Colonel Robert Troup, of New York, was one,) was confined on board a vessel which had been employed to transport live stock for the use of the army, and was without accommodations for health or comfort. The General was released from the vessel on the remonstrance of an officer who had more humanity than his superiours, and removed to a house near the church in

* I quote the words of Mr. Thompson, in his *History of Long Island*, Appendix, pp. 509, 510.

New Utrecht, where he was permitted to receive some attendance and medical assistance. A cut in the joint of the elbow rendered an amputation of the arm necessary. As soon as this was resolved on, the General sent for his wife, with a request that she should bring with her all the money she had in her possession, and all she could procure; which being complied with, he had it distributed among the American prisoners, to alleviate their sufferings—thus furnishing a lesson of humanity to his enemies, and closing a useful life by an act of charity. He then suffered the amputation, which soon issued in a mortification, which terminated his life September 20th, 1776, in the fifty-fourth year of his age.

“It is proper here to state, that the late Chief Justice Marshall, in the Biography of Washington, while narrating the disposition of the American forces immediately prior to the battle of Long Island, fought on the morning of the 27th of August, 1776, makes the following remark: *The convention of New York had ordered General Woodhull, with the militia of Long Island, to take post on the high ground as near the enemy as possible; but he remained at Jamaica, and seemed scarcely to suppose himself under the control of the regular officer commanding on the island.*”

A letter from Chief Justice Marshall, dated February 21st, 1834, addressed to John L. Lawrence, Esq., shows the origin of his mistake and mis-statement. It is as follows:

“Judge Edwards did me the favour to deliver yesterday evening your letter of the 13th, with the documents to which it refers. It is to me matter for deep concern and self-reproach that the Biographer of Washington should, from whatever cause, have mis-stated the part performed by any individual in the war of our revolution. Accuracy of detail ought to have been, and was, among my primary objects. If in any instance I have failed to attain this object, the failure is the more lamented, if its consequence be the imputation of blame where praise was merited.

“The evidence with which you have furnished me, demonstrate that the small body of militia assembled near Jamaica, Long Island, in August, 1776, was not called out for the purpose of direct co-operation with the troops in Brooklyn, and was not placed by the convention under the officer commanding at that post. It is apparent that their particular object, after the British had landed on Long Island, was, to intercept the supplies they might draw from the country. It is apparent, also, that General Woodhull joined them only a day or two before the battle; and there is every reason to believe that he executed with intelligence and vigour the duty confided to him. I had supposed that the order to march to the western part of Queen’s County directed an approach to the enemy, and that the heights alluded to, were between Jamaica and Brook-

lyn. But I have not the papers which I read at the time from the publications then in my possession. I only recollect the impression they made, that General Woodhull was called into the field for the purpose of aiding the operations from Brooklyn; and that General Washington, knowing the existence of this corps, had a right to count upon it in some slight degree, as guarding the road leading from Jamaica. In this I was mistaken; and in this the mistake of which you complain originated.

"I think, however, you misconstrue it; no allusion is made to the number of the militia under his command, nor to any jealousy of the military officer commanding at Brooklyn; nor is it hinted that the convention had placed him under that officer. I rather infer that it appeared to me to be an additional example of the many inconveniences arising, in the early part of the war, from the disposition of the civil authorities to manage affairs belonging to the military department.

"I wish much that I had possessed the information you have now given me. The whole statement would most probably have been omitted, the fact not being connected with the battle; or, if introduced, have been essentially varied."

The army of General Howe spread over the flat country. The Germans, with De Heister, advanced to beyond Flatbush, and an English column was pushed on the Bedford road. General Grant advanced by the lower road along the bay. The main army, under Clinton, Percy and Howe, marched back, or south-west of Jamaica, and unopposed gained the interval between the hills and the American lines.

The letter of Lord Stirling to General Washington, on the 29th of August, tells the event until he surrendered. This gentleman claimed to inherit the dignity of an earl, from the circumstance that his father's cousin, who was Earl of Stirling, died without male issue. General Lord Stirling was in early life known as Mr. William Alexander, and served as an officer in the war of 1756. In 1775, he was appointed to the command of the first continental regiment that was raised in New Jersey, and had the distinction of receiving one of the first votes of thanks granted by congress. It was for the successful results of a daring enterprise projected by him, and accomplished by his embarking with a detachment of his regiment from Elizabethtown, and proceeding in three small unarmed vessels to the outside of Sandy Hook, (while the *Asia* man-of-war, with her tender, lay in the bay of New York,) and capturing a transport ship of three hundred tons, armed with six guns, and freighted with stores for the British army. We shall hereafter see what share he had in the subsequent events of the war. He was ever the firm friend of Washington. The following is

Lord Stirling's account, addressed to Washington, of the unfortunate battle of Long Island :

“ I have now an opportunity of informing you of what has happened to me since I had last the pleasure of seeing you. About three o'clock in the morning of the 27th, I was called up and informed by General Putnam, that the enemy were advancing by the road from Flatbush to the Red Lion, and he ordered me to march with the two regiments nearest at hand to meet them. These happened to be Haslet's and Smallwood's, with which I accordingly marched, and was on the road to the Narrows just as the daylight began to appear. We proceeded to within about half a mile of the Red Lion, and there met Colonel Atlee, with his regiment, who informed me that the enemy were in sight; indeed I then saw their front between us and the Red Lion. I desired Colonel Atlee to place his regiment on the left of the road, and to wait their coming up, while I went to form the two regiments I had brought with me along a ridge from the road up to a piece of wood on the top of the hill. This was done instantly, on very advantageous ground.

“ Our opponents advanced, and were fired upon by Atlee's regiment, who, after two or three rounds retreated to the wood on my left, and there formed. By this time, Kichline's riflemen arrived; part of them I placed along a hedge under the front of the hill, and the rest in the front of the wood. The troops opposed to me were two brigades of four regiments each, under the command of General Grant; who advanced their light troops to within one hundred and fifty yards of our right front, and took possession of an orchard there, and some hedges, which extended towards our left. This brought on an exchange of fire between those troops and our riflemen, which continued for about two hours, and then ceased by those light troops retiring to their main body. In the mean time, Captain Carpenter brought up two field-pieces, which were placed on the side of the hill, so as to command the road and the only approach for some hundred yards. On the part of General Grant there were two field-pieces. One howitzer advanced to within three hundred yards of the front of our right, and a like detachment of artillery to the front of our left. On a rising ground, at about six hundred yard's distance, one of their brigades formed in two lines opposite to our right, and the other extended in one line to the top of the hills, in the front of our left.

“ In this position we stood cannonading each other till near eleven o'clock, when I found that General Howe, with the main body of the army was between me and our lines, and I saw that the only chance of escaping being all made prisoners, was to pass the creek near the Yellow Mills; and, in order to render this the more practicable, I found it absolutely necessary to attack a body of

troops, commanded by Lord Cornwallis, posted at the house near the Upper Mills. This I instantly did, with about half of Smallwood's regiment, first ordering all the other troops to make the best of their way through the creek. We continued the attack a considerable time, the men having been rallied, and the attack renewed five or six several times, and we were on the point of driving Lord Cornwallis from his station; but large reinforcements arriving rendered it impossible to do more than to provide for safety. I endeavoured to get in between that house and Fort Box, but, on attempting it, I found a considerable body of troops in my front, and several in pursuit of me on the right and left, and a constant firing on me. I immediately turned the point of a hill, which covered me from their fire, and I was soon out of the reach of my pursuers. I soon found that it would be in vain to attempt to make my escape, and therefore went to surrender myself to General de Heister, commander-in-chief of the Hessians."

From the letters of R. H. Harrison, the evening of the 27th, we learn that General Washington was then on Long Island, and expected a general attack; but Howe had witnessed the affair of Bunker Hill, and gave time for the subsequent manœuvres.

General Sullivan says, in his letters: "I was uneasy about a road, through which I had often foretold that the enemy would come, but could not persuade others to be of my opinion. I went to the hill near Flatbush to reconnoitre, and with a picket of four hundred men was surrounded by the enemy, who had advanced by the very road I had foretold, and which I had paid horsemen fifty dollars for patrolling by night, while I had the command, as I had no foot for the purpose.

"What resistance I made with these four hundred men against the British army, I leave to the officers who were with me to declare. Let it suffice for me to say, that the opposition of the small party lasted from half past nine to twelve o'clock."

From these several accounts it would appear, that no individual officer had the command in the engagement. Lord Stirling commanded the detachment on the right, which was opposed by the British General Grant. The regiment under Colonel Hand, stationed on the heights near Flatbush, was commanded by General Sullivan, rather by accident than in consequence of any direct order. Williams's and Miles's regiments at the left, posted on the road leading from Flatbush to Bedford, had no other commander than their respective colonels.

The number of American troops, who took part in the action, is estimated by Colonel Haslet at five thousand. This estimate is probably very near the truth. When the detachments retreated from Long Island, there were nine thousand in the whole. Thirteen hundred of these had gone over to Brooklyn after the engage-

ment; consequently before their arrival, the number on the island was seven thousand seven hundred. Add to these about eleven hundred prisoners and killed, and it makes the amount eight thousand eight hundred on the day of the action. Of this number, it is not probable, that General Putnam would weaken his camp by sending out more than five thousand, retaining only three thousand eight hundred for the defence of his lines. It appears, moreover, that the whole force beyond the lines, except three regiments, was on the right, under Lord Stirling; whence it is evident, that the main attack was expected in that quarter, where in reality the enemy designed no more than a feint.

General Howe, in his official despatch, reported that "many were suffocated and drowned in the marsh," and this has been repeated by historians. Colonel Haslet, who crossed the marsh, speaks of one man only as having been drowned. Another officer, who gave a very consistent account of this part of the action, which was published at the time, said: "We forced the advanced party, which first attacked us, to give way, through which opening we got a passage down to the side of a marsh, seldom before waded over, which we passed, and then swam a narrow river, all the time exposed to the fire of the enemy." Here is nothing said about any man being lost in the marsh; and it is at least problematical, whether any person, except the man mentioned by Colonel Haslet, was either drowned or suffocated, says Mr. Sparks,* in opposition to the English account.†

* Writings of Washington, Vol. IV. Appendix, p. 519.

† How easy it is, half a century after, to point out what ought to have been done, and what would have been the results. The troops that had been thrown on Long Island were known by the commander-in-chief to be insufficient to oppose the main force of Gen. Howe; and when he had found that *that* was the point by which the British intended their attack upon the city, which was before doubtful, he would certainly have withdrawn the troops from New York—a situation which was obnoxious to the evils attendant upon the movements of an enemy who commanded all the communications between them and the main land. Or, perhaps, by reinforcements from the city, he might have rendered Brooklyn as famous as Bunker Hill, although he must have ultimately abandoned the ground, as Prescott and Stark did that memorable spot.

As the affair stood, after the 27th, the council called to determine on the further resistance at Brooklyn, or a retreat, determined on the latter, for the following reasons:—The loss sustained on the 27th; the injury sustained to arms and ammunition, by the heavy rains of the subsequent days; the certainty that the enemy could and would get up the East River, and cut off the communication with New York; the inadequate force for the defence of the lines; the knowledge that the ships of the enemy were in Flushing Bay, and could transport a part of the English force across Kingsbridge. Any one of these reasons were sufficient, and the council were unanimous for retreat. The manner of it, has been ever considered as one of the most brilliant proofs of Washington's talents for command. In the face of a superiour and triumphant enemy, he withdrew a dispirited and undisciplined host, and without loss, crossed an arm of the sea—for such it is between New York and Brooklyn—which was commanded by the enemy's navy.

The situation of General Washington, at New York, after the retreat from Long Island, is such as to make every feeling American blush for those who were daily

By the orders of General Washington, on the 27th, Shee's and Magaw's regiments were ordered from near Fort Washington to Brooklyn. Capt. Graydon, who was of Shee's, gives in his "Memoir of a Life"* the feelings of one who tells only what he experienced, and gains our confidence for every word he pens:

"Being forthwith put in motion, we proceeded with the utmost speed, and reached the city in the afternoon; but by this time the conflict was over, and the firing had ceased. Here, therefore, we were quartered for the night, under orders to be in readiness to cross the East River by break of day in the morning. Glover's regiment was also moved to this place, and was under similar orders for Long Island. Few particulars of the day's combat were yet known, though it was pretty well ascertained that we had been handled severely, and lost a considerable number of officers and men; but what proportion had been killed, or were prisoners, was merely conjecture. New York was at this time a scene of tumult and confusion, and it might be added, of dismay.

"The circumstance, however, did not deprive me of my appetite, and the inclination for a good supper, which I had not for some months enjoyed; and therefore, as soon as our men were dismissed to their quarters, which was not until dark, Mr. Forrest and myself set out in pursuit of this object. But some of the publick houses were full, others had no eatables in them, and we began to fear that this little enjoyment we had promised ourselves, was not to be obtained, and that we should be obliged to go to bed supperless. After trying the best looking inns to no purpose, we essayed those of more humble appearance, and at length entered one, that was kept by a middle aged matronly lady. We asked if she could give us supper; she gave us the common answer—that there was nothing in the house. We were now about to give the matter up, and had retired beyond the door with somewhat of a disconsolate air, perhaps, when the good woman seemed touched with compassion for us. She had probably sons of her own; or if not, she was of that sex which, Ledyard tells us, is ever prone to acts of kindness and humanity. She called us back, and told us that she believed she could make out to give us a lobster. At this we brightened up, assuring her, as we really thought, that nothing could be better; and being shown into a small, snug apartment, we called

deserting him, and glory in the firmness of the few, and the heroism of the man who never faltered in his course, and fought the battles of his country with something worse than the shadow of an army to support him. His whole force, before the affair of Brooklyn, was inadequate to oppose the enemy: there he lost near 2,000; every day diminished the remainder by the desertion of militia. Whole regiments marched off, and those who remained were insubordinate and mutinous, ready to run at the sight of an enemy.

* Page 142.

for a pint of wine. We now thought ourselves, instead of outcasts, favourites of fortune, as, upon comparing notes with our brother officers, next day, we found we had reason; since scarcely any of them had been able to procure a mouthful.

“On the next day, early in the forenoon, we were transported to Long Island; marched down to the entrenchments at Brooklyn, and posted on their left extremity, extending to the Wallabout. The arrival of our two battalions, (Shee’s and Magaw’s, which always acted together,) with that of Glover, had the effect I have always found to be produced by a body of men under arms, having the appearance of discipline. Although, owing to the dysentery which had prevailed in our camp, our number was so reduced that the two regiments could not have amounted to more than eight hundred men, making in the whole, when joined with Glover’s, about twelve or thirteen hundred; yet it was evident that this small reinforcement inspired no inconsiderable degree of confidence. The faces that had been saddened by the disasters of yesterday, assumed a gleam of animation on our approach, accompanied with a murmur of approbation in the spectators, occasionally greeting each other with the remark, that *these were the lads that might do something*. Why it should be so, I know not; but the mind instinctively attaches an idea of prowess to the silence, steadiness, and regularity of a military assemblage; and a hundred well dressed, well armed, and well disciplined grenadiers, are more formidable in appearance, than a disjointed, disorderly multitude of a thousand. Our regiments, to be sure, could not arrogate such perfection; but that they were distinguished in our young army, may be inferred from an official letter from General Washington, wherein he states that ‘they had been trained with more than common attention.’ To sustain the duty now imposed upon us, required both strength of body and of mind. The spot at which we were posted, was low and unfavourable for defence. There was a *fraised* ditch in its front, but it gave little promise of security, as it was evidently commanded by the ground occupied by the enemy, who entirely enclosed the whole of our position, at the distance of but a few hundred paces. It was evident, also, that they were constructing batteries, which would have rendered our particular situation extremely ineligible, to say the least of it. In addition to this discomfort, we were annoyed by a continual rain, which, though never very heavy, was never less than a searching drizzle, and often what might with propriety be called a smart shower. We had no tents to screen us from its pitiless pelting; nor, if we had had them, would it have comported with the incessant vigilance required, to have availed ourselves of them, as, in fact, it might be said, that we lay upon our arms during the whole of our stay upon the island. In the article of food, we were little better off. We had,

indeed, drawn provisions, whose quality was not to be complained of. Our pickled pork, at least was good ; but how were we to cook it ? As this could not be done, it was either to be eaten as it was, or not eaten at all ; and we found, upon trial, that boiling it, although desirable, was not absolutely necessary ; and that the article was esculent without culinary preparation. I remember, however, on one of the days we were in this joyless place, getting a slice of a barbecued pig, which some of the soldiers had dressed at a deserted house which bounded our lines.

“ There was an incessant skirmishing kept up in the day time between our riflemen and the enemy’s irregulars ; and the firing was sometimes so brisk as to indicate an approaching general engagement. This was judiciously encouraged by General Washington ; as it tended to restore confidence to our men, and was, besides, showing a good countenance to the foe.

“ On the morning after our first night’s watch, Colonel Shee took me aside and asked me what I thought of our situation. I could not but say, I thought it a very discouraging one. He viewed it in the same light, he said, and added, that if we were not soon withdrawn from it, we should inevitably be cut to pieces. So impressed was he with this conviction, that he desired me to go to the quarters of General Reed, and request him to ride down to the lines, that he might urge him to propose a retreat without loss of time. I went, but could not find him at his quarters, or at any of the other places where it was likely he might be. It was not long, however, before he came to our station, and gave the colonel an opportunity of conferring with him. This day passed off like the last, in unabating skirmishing and rain. After dark, orders were received and communicated to us regimentally, to hold ourselves in readiness for an attack upon the enemy—to take place in the course of the night. This excited much speculation among the officers, by whom it was considered a truly daring undertaking, rendered doubly so from the bad condition of our arms, so long exposed to the rain ; and although we had bayonets, this was not the case with the whole of our force, upon whom we must depend for support. It was not for us, however, to object to the measure : we were soldiers, and bound to obey. Several nuncupative wills were made upon the occasion, uncertain as it was whether the persons to whom they were communicated would survive, either to prove or to execute them. I was for a while under the impression that we were to fight ; and, in the language of the poet, was ‘ stiffening my sinews and summoning up my blood,’ for what, with the rest, I deemed a desperate encounter. But when I came to consider the extreme rashness of such an attempt, it suddenly flashed upon my mind, that a retreat was the object ; and that the order

for assailing the enemy, was but a cover to the real design. The more I reflected upon it, the more I was convinced that I was right; and what had passed in the morning with Colonel Shee, served to confirm me in my opinion. I communicated my conjecture to some of the officers, but they dared not suffer themselves to believe it well founded, though they gradually came over to my opinion; and by midnight they were, for the most part, converts to it. There was a deep murmur in the camp which indicated some movement; and the direction of the decaying sounds was evidently towards the river. About two o'clock, a cannon went off, apparently from one of our redoubts, 'piercing the night's dull ear,' with a tremendous roar. If the explosion was within our lines, the gun was probably discharged in the act of spiking it; and it could have been no less a matter of speculation to the enemy, than to ourselves. I never heard the cause of it; but whatever it was, the effect was at once alarming and sublime; and what with the greatness of the stake, the darkness of the night, the uncertainty of the design, and extreme hazard of the issue whatever might be the object, it would be difficult to conceive a more deeply solemn and interesting scene. It never recurs to my mind, but in the strong imagery of the chorus of Shakspeare's Henry the Fifth, in which is arrayed in appropriate gloom, a similar interval of dread suspense and awful expectation.

"As our regiment was one of those appointed to cover the retreat, we were, of course, among the last to be drawn off, and it was near daybreak, before we received orders to retire. We were formed without delay, and had marched nearly half way to the river, when it was announced that the British lighthouse were at our heels. Improbable as was the circumstance, it was yet so strenuously insisted upon, that we were halted and formed, the front rank kneeling with presented pikes, which we had with us, to receive the charge of the supposed assailants. None, however, appeared; and the alarm must have proceeded from the fear of those who gave it, magnifying the noise of a few of our own horsemen into that of squadrons of the enemy. We again took up the line of march, and had proceeded but a short distance, when the head of the battalion was halted a second time. The orders we had received were erroneous: we were informed that we had come off too soon, and were commanded with all expedition to return to our post. This was a trying business to young soldiers; it was, nevertheless, strictly complied with, and we remained not less than an hour in the lines before we received the second order to abandon them. It may be supposed we did not linger; but though we moved with celerity, we guarded against confusion, and under the friendly cover of a thick fog, reached the place of embarkation without annoyance from the enemy, who, had the morning been

clear, would have seen what was going on, and been enabled to cut off the greater part of the rear. One of my soldiers being too feeble to carry his musket, which was too precious to be thrown away, I took it from him, and found myself able to carry it, together with my own fusee. On attaining the water, I found a boat prepared for my company, which immediately embarked, and taking the helm myself, I so luckily directed the prow, no object being discernible in the fog, that we touched near the centre of the city. It was between six and seven o'clock, perhaps later, when we landed at New York; and in less than an hour after, the fog having dispersed, the enemy was visible on the shore we had left."

CHAPTER VI.

Lord Howe meets a Committee of Congress, on Staten Island.—General Howe pushes his army to Hell-gate—Heath, and death of Henly—Hale is executed—Affair of Kipp's Bay—Difficulties of evacuating the city—Death of Leich and of Knowlton—Fire of 1776—Gen. Howe crosses to Frog's Point—White Plains—Fort Washington—Rawlins—Prisoners.

1776 GENERAL HOWE'S object was to preserve the houses for his army, and to get between Washington and the main land. He pushed forward his forces to Hell-gate, occupying an extent of nine miles, and evidently intended to cross the East River or Sound, so as to enclose the Americans on the Island of Manhattan. To guard against these indications, the continental army was divided into three parts. Five thousand men remained in the town. A body supposed to be nine thousand were near Kingsbridge, and the remainder lined the shores opposite to the enemy. While these military movements were going on, Lord Howe, to take advantage of the recent victory, parolled General Sullivan, and attempted to negotiate with congress without acknowledging them as a political body. He, through Sullivan, expressed his desire to have a conference with some of the members, and offered to meet them where they should appoint. He said, that he and General Howe had powers to settle the dispute on terms advantageous to both the contending parties. That he wished the compromise to take place before either America or Great Britain could be said to be compelled to it. The answer returned was, "that congress being the representatives of the free and independent States of America, cannot, with propriety, send any of its members to confer with his lordship in their private characters; but that they being desirous of establishing a peace on reasonable terms, would send a committee to learn whether he had authority or not." Accordingly, Dr. Franklin, John Adams, and Edward Rutledge, passed over to Staten Island, from Perth Amboy; and, on their return, reported that Howe had received them politely, on the 11th of September; he observed that he could not treat with them as a committee of congress; but was glad of the opportunity of a conference with them as private gentlemen. They answered, that he might consider them in what light he pleased, and make any propositions; but they could consider themselves in no other character than that in which they were announced. Howe's propositions amounted to the return of the colonies to their allegiance; and the com-

mittee let him know *that* was not now to be expected, and so the fruitless conference ended.

Too much reliance had been placed upon a *chevaux-de-frise*, which General Putnam, in a letter to Gates, prides himself upon having invented; but which proved inefficient. General Greene pressed the evacuation of New York, and pointed out the ease with which the enemy could land on either side the island, and throw strong lines across, supported at each end by their ships: this would divide the American army, and force those in the town to capitulate, or fight to great disadvantage with a very superiour adversary. Greene strenuously advised the destruction of the city. The spade had been liberally used. Fort George—the battery below and to the south of it; the wharves and streets had redoubts and breastworks; Bayard's mount was crowned by a fort, and called Bunker's Hill; Corlear's Hook was surrounded by batteries, and lines crossed the island at various distances. But Washington saw that the enemy could surround the town—their troops had possession of the islands—and their ships passed his batteries unharmed, on either side of the city. He had no confidence in his army, and little command over the best of his troops: reluctantly he agreed with his council of war, to abandon a place that had cost so much labour to strengthen for defence, and which he knew the congress and people expected him to hold. Still he hoped to make a stand on Manhattan Island, at Haerlem Heights, Fort Washington, and Kingsbridge. At the council, many thought the post should be retained; but Greene saw the danger of the attempt, or even of the measures resolved upon, of withdrawing a part of the army to the forts and lines at Kingsbridge; he urged an immediate retreat from the island, and burning the city and suburbs. However, against the destruction of the place congress had determined; and as it could not be defended by troops without discipline, and inferiour both in spirit and numbers, all Washington could do was to withdraw his forces and stores, with as much safety as circumstances permitted. About the middle of September, events occurred which convinced the general and all his officers that a speedy retreat from New York was necessary. The Connecticut militia he directed to be withdrawn, and stationed on the Sound, and opposite the enemy's force on Long Island. To remove the stores was an object of great consequence and difficulty, while an attack was momentarily expected. To secure an overflowing hospital, and give every convenience to a great number of sick, was another service that tasked this great man's care and humanity; and every moment the enemy were taking stations with the ships of war, or divisions of soldiers, that increased the difficulty of evacuating the city. On the 13th of September, four frigates had passed between Governour's Island (of which the

English had taken full possession) and Long Island, through Buttermilk Channel, and anchored opposite Stuyvesant's house, above the town. Other ships passed the city, up the North River, and were stationed at Bloomingdale. These last prevented the removal of stores, or the sick, by water. General Washington now shifted his head-quarters to Colonel Morris's house, at Haerlem Heights; and, on the 15th, the enemy attacked his redoubts at several points. The general finding that they were attempting to land at Kipp's Bay, where two brigades were posted, rode thither, and found his soldiers flying in every direction, even before a boat of the enemy had approached the shore. The English ships were covering the landing by cannonading. The appearance alone of an advance guard, caused the brigades of Fellows and Parsons (notwithstanding the efforts of the officers to keep them in their redoubts) to fly in the most scandalous confusion. About fifty men of the enemy were landed, and Washington was left by his countrymen, alone, exposed to their fire, and for a moment wishing for death rather than the power to witness such dastardly conduct. It is said, that he threatened the cowards with death by his pistols; but they feared the English more than their commander, who was in a manner forced from the spot by those around him. He soon recovered his equanimity—issued orders for covering the retreat, and securing the height of Haerlem; and the enemy gained a footing on the island without farther advantage than the capture of part of the baggage of the American army.

In the retreat from New York, it is said, that by some error, Silliman's brigade remained too long in the city, and by the cowardly behaviour of the men at Kipp's Bay, was nearly cut off. Colonel Knox led them to the fort on Bunker's Hill, or Bayard's Mount, where they must have surrendered: but Burr, then an aid to Putnam, saw their situation, and marched them by cross roads, towards the west side of the island, and in safety they joined the main army. This Bunker's Hill fort was on a small cone-shaped mount, to the west of the junction of Mott and Grand streets, and could not have contained half a brigade. Major Burr, being familiar with the island, knew that by crossing the *new road*, now Broadway, about the site of the present Grand street, he could lead these lost men along the edge of a swamp, and to the woods which surrounded the house, formerly Washington's head-quarters; and that, by then taking the Greenwich road, he must avoid the enemy. The service was important, and reflected honour on Burr's military talents.

Colonel Knox and the men with him were strangers on this island; and finding that the enemy had possession of the Boston road, and, for any thing he could know, all that part of the island between them and the army, Knox seemed to have selected this

cone-shaped hill, with its redoubts, as a place for at least temporary defence. Bayard's Mount, or Bunker's Hill, looked down on the city, from which it was separated by the *Kolch* or fresh water pond.

At the time of which we speak, a few straggling houses marked the Bowery, or Boston road. The new road had been cut through the hills, and partially levelled. This extended to Sandy Hill, and is now a part of Broadway. A crooked cross road led from the new road to the Bowery, commencing from what is now the corner of Grand street. Between this crooked path and the *Kolch*, were the house and garden of Nicholas Bayard, with the hill called Bayard's Mount. To the north and east were orchards and woods. To the west, Mr. Knox could have seen only swamps and woods.

Before General Howe had crossed to Frog's Point, General Heath had command of the posts above and below Haerlem River. There is a small island near Hell-gate, which was, in 1776, called Montresor's Island. The British had possession of this place, and in an attempt to surprise their garrison, another gallant officer lost his life : this was Major Thomas Henly. But he fell a volunteer in an expedition for his country's service, and instantly expired after receiving a shot, surrounded and lamented by his friends. Robert Smith, who was a captain in Malcom's regiment, commanded the third boat, and on their touching the island, they were received by volleys from about seventy Highlanders, drawn up on the bank, who had been aware of their approach through the firing of Heath's undisciplined sentinels.

Nathan Hale, a fine young man, voluntarily risked the chance of an inglorious death among his country's enemies, exposed to brutal taunts, and that, without the hope or promise of other reward than an approving conscience. This intelligent young man, late a student at Yale college, and now a captain in Knowlton's Rangers, being informed of the great lack of information respecting the enemy, after the retreat from Long Island, offered to go among them in disguise, and bring accurate statements to General Washington. All the world has heard of Major André. He has been sung by poets, and monuments have been raised to him. He fell into the snare he had contrived with a traitor for the destruction of thousands ; but Captain Hale, who died, only lamenting that he had "but one life to sacrifice for his country," has, until recently, been unnoticed by history ; and no stone tells where his bones were interred.

He passed in disguise through the English posts on Long Island, and had made such observations as an intelligent gentleman alone could make ; but in attempting to return he was apprehended, and carried before General Howe. He acknowledged his object and rank, and was delivered over to the provost-marshal, Cunningham, for execution. This savage added all in his power to the bitterness

of death. The presence of a clergyman was denied him. He was permitted to write to his mother and other friends, but the letters were destroyed. Thus, unknown to all around him, and mocked by ruffian executioners, died as fine a young man as America could boast, breathing his last in prayers for his country. It is said, Cunningham gave as a reason for destroying the young man's letters, that the rebels should not see how firmly one of their army could meet death.

The American army now occupied the heights of Haerlem, and the British army held the town and the plain between, far outnumbering, in real soldiers, our disheartened and downcast countrymen. But a skirmish took place which revived the courage of the Americans, and called from the mortified commander-in-chief the cheering words, "our troops behaved well!"

The general, in his letter of the 18th of September, 1776, to congress, says, that, seeing several large bodies of the enemy in motion on the plain below the heights, he rode down to the outposts to prepare for their reception if they should attack. When he arrived, he says, he heard a firing, which, he was informed, was between a party of our rangers, under the command of Lieutenant-colonel Knowlton, and an advanced party of the enemy. General Washington being informed that the body of the enemy, who kept themselves concealed in the wood, was greater than Knowlton's force, ordered three companies of Virginians, under Major Leitch, to his assistance, with orders to try to get in the enemy's rear, while a disposition was making as if to attack them in front, thereby to draw their whole attention that way. This succeeded; and the British, on the appearance of the party advancing in front, ran down the hill, and took possession of some fences and bushes, and commenced a distant and ineffective firing. The parties under Leitch and Knowlton commenced their attack too soon, and rather on their flank than in the rear. In a little time, Major Leitch was brought off wounded, having received three balls through his side. In a very short time after, Colonel Knowlton fell, mortally wounded. Still their men fought on undaunted; and the general sent detachments from the eastern regiments, and from the Maryland troops, to their support. These reinforcements charged gallantly, drove the enemy out of the wood into the plain, and were pushing them from thence, having, as the general says, "silenced their fire, in a great measure," when the British commander, preparing to send on a large reinforcement, Washington ordered a retreat. The foreign troops that had been engaged consisted of the second battalion of light infantry, a battalion of Highlanders, and three companies of Hessian sharp-shooters—the whole under the command of Brigadier-general Leslie. This affair, trifling in itself, and attended by the loss of two gallant officers, one of them before dis-

tinguished for courage and conduct, was of great consequence in giving confidence to the American troops. It was a contrast to the shameful rout of the day before, and proved that their foes were not invincible.

At this period, (September 21st,) and after the retreat of the Americans, a great fire occurred in the city, of which Mr. David Grim, a very respectable inhabitant of New York, who remained in the city when the British took possession, has left us this :

“ The fire of 1776 commenced in a small wooden house, on the wharf, near the Whitehall slip. It was then occupied by a number of men and women, of a bad character. The fire began late at night. There being but a few inhabitants in the city, in a short time it raged tremendously. It burned all the houses on the east side of Whitehall slip, and the west side of Broad street to Beaver street. A providential and happy circumstance occurred at this time : the wind was then southwesterly. About two o’clock that morning the wind veered to the south-east ; this carried the flames of the fire to the north-westward, and burned both sides of Beaver street to the east side of Broadway, then crossed Broadway to Beaver lane, and burning all the houses on both sides of Broadway, with some few houses in New street, to Rector street, and to John Harrison’s, Esq., three story brick house, which house stopped the fire on the east side of Broadway ; from thence it continued burning all the houses in Lumber street, and those in the rear of the houses on the west side of Broadway to St. Paul’s church, then continued burning the houses on both sides of Partition street, and all the houses in the rear (again) of the west side of Broadway to the North River. The fire did not stop until it got into Mortkile street, now Barclay street. The college yard and the vacant ground in the rear of the same, put an end to this awful and tremendous fire.

“ Trinity church being burned, was occasioned by the flakes of fire that fell on the south side of the roof. The southerly wind fanned those flakes of fire in a short time to an amazing blaze, and it soon became out of human power to extinguish the same—the roof of this noble edifice being so steep that no person could go on it.

“ St. Paul’s church was in the like perilous situation. The roof being flat, with a balustrade on the eaves, a number of citizens went on the same, and extinguished the flakes of fire as they fell on the roof. Thus, happily, was this beautiful church saved from the destruction of this dreadful fire, which threatened the ruin thereof, and that of the whole city.

“ The Lutheran church being contiguous to houses adjoining the same fire, it was impossible to save it from destruction. This fire was so furious and violently hot, that no person could go near it, and there was no fire engines to be had at that time in the city.

“The number of houses that were burned and destroyed in this city at that awful conflagration, were thus, viz: from Morktile street to Courtlandt street, one hundred and sixty-seven; from Courtlandt street to Beaver street, one hundred and seventy-five; from Beaver street to the East River, one hundred and fifty-one: total, four hundred and ninety-three.

“There being very few inhabitants in the city at the time, and many of them were afraid to venture at night in the streets, for fear of being taken up as suspicious persons.

“An instance to my knowledge occurred. A Mr. White, a decent citizen, and house-carpenter, rather too violent a royalist, and latterly had addicted himself to liquor, was, on the night of the fire, hanged on a tavern sign-post, at the corner of Cherry and Roosevelt streets. Several of the citizens were sent to the provost-guard for examination, and some of them remained there two and three days, until they could give satisfactory evidence of their loyalty.

“Mr. Hugh Gainé, in his *Universal Register* for the year 1787, page 119, says, New York is about a mile and a half in length, and half a mile broad, containing, before the fires on the 21st of September, 1776, and the 3d of August, 1778, about four thousand two hundred houses, and thirty thousand inhabitants.”

Over the ruins of this fire I have wandered, when a boy, in every direction. It will be observed, by Mr. Grim's account, that the houses on the west side of Broadway, and which were south of Beaver street, escaped the conflagration; and it was in these, that the English generals lived—what is now No. 1, being headquarters. I must observe, that the houses in Broadway, north of Trinity church yard, were not burned. The City Tavern was on part of the site of the present City Hotel. Between this and St. Paul's church the houses were small and most of them of wood. The last brick houses in the town were next beyond the church. The ruins on the south-east side of the town were converted into dwelling places by using the chimneys and parts of walls which were firm, and adding pieces of spars, with old canvass from the ships, forming hovels—part hut and part tent. This was called “Canvass-town;” and was the receptacle and resort of the vilest dregs brought by the army and navy of Britain, with the filthiest of those who fled to them for refuge.

General Howe, finding that the position taken by Washington was too strong to be attacked in front, moved his main army higher up the sound, and crossed over to Frog's Point. This rendered it necessary for a change of position on the American part. Accordingly, leaving a garrison at Fort Washington, the army was marched to White Plains. General Lee was now with Washington; and General Greene had command at Fort Lee, opposite to the garrison left on York island.

While Howe moved his army from Frog's Point to New Rochelle, he was attacked successfully by skirmishing parties behind stone walls. At White Plains an action took place without decisive advantage to either party ; and Washington, taking a stronger position, expected and awaited an attack. A rain storm intervened ; and the Americans withdrew to the heights of North Castle, where their adversary deemed it improper to assault them. Leaving General Lee at this post, the commander-in-chief crossed the North River to Fort Lee, and from thence to Hackinsack. Howe seized this opportunity to attack Fort Washington, left with too slender a garrison under the command of Colonel Magaw. Works were erected on Haerlem river to cover the crossing of the English, which nothing could impede. I am indebted to Graydon* for the following particulars :

“Fort Washington stood on an eminence, situated on the margin of the Hudson, or North river, about two miles and a half below Kingsbridge. The access to the level on the top of it, is steep and difficult on every side, except on the south, where the ground is open, and the ascent gradual, to the fort. The hill extends along the North river about half a mile from the fort ; and at the termination of it were some small works, which, with the natural strength of the place, were deemed a sufficient protection against the enemy, in that quarter.

“Nearly opposite to the fort, on the west side of Haerlem river, a body of men was posted to watch the motions of the enemy, who had erected works on the high and commanding ground east of that river, apparently with a design of covering a landing of troops in that part of the island of New York. Two lines extended from the vicinity of Haerlem river, across the island, to the North river, and were in length each about a mile. The first line towards New York, intersected the great road leading to Kingsbridge, after the height is ascended from Haerlem plains : it was a slight intrenchment, with a few weak bastions, without platforms for cannon, and furnished with no other ordnance than a few old iron pieces of small calibre, scarcely fit for use, and an iron six pounder mounted on trucks. The second line was stronger ; but on the day of the attack of Fort Washington, was, from necessity, wholly without defence, either of troops, or artillery of any description. Colonel Magaw, who commanded on the island, remained in the fort ; Colonel Rawlins, with his regiment of riflemen, was posted on the rear of Mount Washington ; Colonel Baxter, with his regiment of militia, on Haerlem river, opposite Fort Washington ; and Colonel Lambert Cadwalader, at the first line,

about two and a half miles from the fort, with about eight hundred men, including a reinforcement of a hundred militia, sent him about ten or eleven o'clock in the morning.

“The operations of the enemy were announced early in the morning, by a cannonade on Colonel Rawlins' position, and a distant one, from the heights of Morrisania, on the line occupied by Colonel Cadwalader; the former with a view of facilitating the attack on that point, by three thousand Hessians: the latter, to favour the approach of Lord Percy with one thousand six hundred men.

“At ten o'clock in the morning, a large body of the enemy appeared on Haerlem plains, preceded by their field-pieces, and advanced with their whole body towards a rocky point of the heights, which skirted the plains in a southern direction from the first line, and at a considerable distance from it—and, commencing a brisk fire on the small work constructed there, drove out the party which held it, consisting of twenty men, and took possession of it: the men retiring with the piquet-guard to the first line. The enemy having gained the heights, advanced in column, on open ground, towards the first line; while a party of their troops pushed forward and took possession of a small unoccupied work in front of the first line; from whence they opened their fire with some field-pieces and a howitzer, upon the line, but without effect. When the column came within proper distance, a fire from the six pounder was directed against it; on which, the whole column inclined to their left, and took post behind a piece of woods, where they remained. As it was suspected that they would make an attempt on the right of the line, under cover of the wood, that part was strengthened.

“Colonel Rawlins was some time late in the morning attacked by the Hessians, whom he fought with great gallantry and effect, as they were climbing the heights; until the arms of the riflemen became useless from the foulness they contracted from the frequent repetition of their fire. From this incident, and the great superiority of the enemy, Colonel Rawlins was obliged to retire into the fort. The enemy having gained the heights, immediately pushed forward towards the fort, and took post behind a large storehouse, within a small distance of it.

“But to return to what passed at the first line towards New York. Intelligence having been received by Colonel Cadwalader, that the enemy were coming down Haerlem river in boats, to land in his rear, he detached Captain Lenox with fifty men, to oppose them, and, on further information, a hundred more, with Captains Edwards and Tudor. This force, with the addition of about the same number from Fort Washington, arrived on the heights near Morris's house, early enough to fire on the enemy in their boats, which was done with such effect, that about ninety were killed and wounded.

“ This body of the enemy immediately advanced, and took possession of the ground in advance of, and a little below, Morris’s house. They hesitated ; and this being perceived, from the delay that took place, Colonel Cadwalader, to avoid the fatal consequences that must have resulted from the expected movement, immediately resolved to retire to the fort, with the troops under his command ; and pursuing the road which led to the fort, under the heights by the North river, arrived there with little or no loss.

“ On the 16th of November, before daybreak, we were at our post in the lower lines of Haerlem heights : that is, our regiment and Magaw’s and some broken companies of Miles’s and other battalions, principally from Pennsylvania. This might be called our right wing, and was under the command of Colonel Cadwalader ; our left, extending to the Hudson above and on the north side of the fort towards Kingsbridge, was commanded by Colonel Rawlins of Maryland, who had there his own regiment of riflemen, and probably some other troops ; though, as the position was narrow, numbers were not so essential to it, as to other parts of the general post. The front or centre extending a considerable distance along Haerlem river, was committed to the militia of the Flying Camp, and Colonel Magaw placed himself in the most convenient station for attending to the whole, having selected one or two officers to assist him as aids-de-camp. I think it was between seven and eight o’clock, when they gave us the first shot from one of their batteries on the other side of the Haerlem river. It was well directed, at a cluster of us that were standing together observing their movements ; but it fell short by about ten or fifteen yards, and bounded over the spot we had precipitately abandoned. In correcting this error they afterwards shot too high, and did us no harm ; at least, while I remained in this part of the field, which, though enfiladed or rather exposed in the rear, was too distant to be very seriously annoyed. They had better success in front, killing a man with a cannon ball, belonging to our piquets, which they drove in. Soon after, they approached the lines in great force under cover of a wood, in the verge of which they halted, and slowly began to form, giving us an occasional discharge from their artillery. Tired of the state of suspense in which we had remained for several hours, I proposed to Colonel Cadwalader, to throw myself with my company into a small work or ravelin about two hundred yards in advance, for the purpose of annoying them as they came up. To this he assented, and I took possession of it ; but found it was a work that had been little more than marked out, not knee high, and of course affording no cover. For this reason, after remaining in it a few minutes, with a view to impress my men with the idea that a breastwork was not absolutely necessary, I abandoned it, and returned to the entrenchment. This unimportant movement was

treated with some respect ; not knowing its meaning, it induced the troops that were in column, immediately to display ; and the irregulars to open upon us a scattering fire. Soon after my return to the lines, it being observed that the enemy was extending himself towards the Hudson on our right, Colonel Cadwalader detached me thither with my company, with orders to post myself to the best advantage for the protection of that flank. I accordingly marched, and took my station at the extremity of the trench, just where the high grounds begin to decline towards the river. This situation, from the intervention of higher land, concealed from my view the other parts of the field ; and thence disqualified me from speaking of what passed there as an eye-witness ; but that the action had begun in earnest, I was some time after informed by my sense of hearing : it was assailed by a most tremendous roar of artillery, quickly succeeded by incessant volleys of small arms, which seemed to proceed from the east and north ; and it was to these points, that General Howe chiefly directed his efforts. On receiving intelligence that embarkations of British troops were about to be thrown across Haerlem river in the rear, Colonel Cadwalader made detachments from his position (already much too weakly manned) to meet this body of the enemy, as yet unopposed by any part of our force. The first detachment arrived in time to open a fire upon the assailants before they reached the shore, and it was well directed and deadly. Nevertheless, their great superiority of force, adequately aided by artillery, enabled them to land, and, by extending themselves, to gain the heights. On this ground it was, that a sharp contest ensued ; speaking of which, in his official account of the action, General Howe says, ‘it was well defended by a body of the rebels ;’ and so it undoubtedly was, when it is considered that but one hundred and fifty of our men, with a single eighteen pounder, were opposed by eight hundred British troops under cover of a battery. But, overpowered by numbers, the resistance was ineffectual ; and the detachments engaged in it retired towards the fort. Rawlins, on his part, made a gallant stand against the Hessians under the command of General Knyphausen, to whom had been assigned the perilous glory of gaining this strong piece of ground, differing essentially from that on the borders of Haerlem river, in the want of opposite heights for batteries. The Germans here lost a great many men ; but as they had been bought by his Britannick majesty, he had an unquestionable right to make a free use of them ; and this seemed to be the conviction of General Howe. Rawlins also suffered a good deal in proportion to his numbers. He had, I think, two officers killed ; and himself, Major Williams, and some others, were wounded : one of whom, a Mr. Hanson, died in New York. The attainment of the post of Rawlins, put the Hessians in possession

of the ground that commanded the fort ; as that, possessed by the British commanded the open field. Hence, the contest might be said to be at an end.

“ Colonel Cadwalader, aware that he was placed between two fires ; and that the victorious enemy in his rear, would soon extend themselves across the island, ordered a retreat just in time to prevent his interception.

“ The first notice that I had of the intrenchment being given up, was from an officer I did not know, posted at some distance from me, going off with his men. I called to him to know what he meant. He answered, that he was making the best of his way to the fort, as the rest of the troops had retreated long since. As I had no reason to doubt his veracity, I immediately formed my company, and began to retire in good order, which is more than I can say of my neighbour or his corps ; and amidst all the chagrin I afterward felt, that the events of the day had been so unpropitious to our glory, I had the satisfaction to reflect, that the men were always obedient, and ready to partake of any danger their officers would share with them. This, however, was but matter of inference ; since I never was attacked, though continually fronted by a strong force, and incommoded by their ordnance, though without being injured by it. After proceeding some hundred paces, I reflected that I had no orders for what I was doing ; and that, although I had no right to expect exactness, in a moment of such pressure, it was yet possible my movement might be premature. I knew nothing of what had passed in the centre, or of the enemy being master of the high grounds in my rear about Colonel Morris’s house, from whom, no doubt, had proceeded the cannon balls that whizzed by us ; and for which, coming in that direction, I could not account. To be entirely correct in my conduct, I here halted my men, and went myself to a rising ground at some distance, from which I might have a view of the lines where Colonel Cadwalader had been posted. They seemed thoroughly manned ; and at the instant, I beckoned to the officers to march back the company, which they immediately put in motion ; but looking more attentively, I perceived that the people I saw, were British and Hessian troops that were eagerly pressing forward. Upon this, I hastened back to my party, and as there was no time to be lost, being in a situation to be cut to pieces by a corps of cavalry, I ordered them under the command of my ensign, to make the best of their way and join the body of men, which none doubted being our own, on the heights beyond the inner lines ; and that I would follow them as fast as I could, for I was a good deal out of breath with the expedition I had used in going to and returning from the ground, which gave me a view of the outer lines. I accordingly walked on, accompanied by Forrest, who did not

choose to leave me alone. The body I had pointed to and directed my company to join, under the idea of their being our own men, turned out to be the British, consisting of Colonel Stirling's division of Highlanders. Upon this discovery, we held a moment's consultation, and the result was, that, hemmed in as we were on every side, there was no chance of escaping; and that there was nothing left but to give ourselves up to them. Thus circumstanced, we clubbed our fuses in token of surrender, and continued to advance towards them. They either did not or would not take the signal; and though there were but two of us, from whom they could not possibly expect a design to attack, they did not cease firing at us. I may venture to say, that not less than ten guns were discharged with their muzzles towards us, within the distance of forty or fifty yards; and I might be nearer the truth in saying, that some were let off within twenty. Luckily for us, it was not our riflemen to whom we were targets; and it is astonishing how even these *blunt* shooters could have missed us. But as we were ascending a considerable hill, they shot over us. I observed they took no aim, and that the moment of presenting and firing, was the same. As I had full leisure for reflection, and was perfectly collected, though fearful that their design was to give no quarter, I took off my hat with such a sweep of the arm as could not but be observed, without ceasing however to advance. This had the intended effect: a loud voice proceeded from the breastwork, and the firing immediately ceased. An officer of the forty-second regiment advanced towards us; and as I was foremost, he civilly accosted me by asking me my rank. Being informed of this, as also of Forrest's, he inquired where the fort lay and where Colonel Magaw was. I pointed in the direction of the fort, and told him I had not seen Colonel Magaw during the day. Upon this, he put us under the care of a sergeant and a few men, and left us. The sergeant was a decent looking man, who, on taking us into custody, bestowed upon us in broad Scotch the friendly admonition of *young men, ye should never fight against your king*. The little bustle produced by our surrender, was scarcely over, when a British officer, on horseback, apparently of high rank, rode up at a full gallop, exclaiming, *What! taking prisoners! kill them, kill every man of them*. My back was towards him when he spoke; and although, by this time, there was none of that appearance of ferocity in the guard, which would induce much fear that they would execute his command, I yet thought it well enough to parry it, and turning to him, I took off my hat, saying, *Sir, I put myself under your protection*. No man was ever more effectually rebuked. His manner was instantly softened: he met my salutation with an inclination of his body, and after a civil question or two, as if to

make amends for his sanguinary mandate, he rode off towards the fort, to which he had inquired the way.

“ Though I had delivered up my arms, I had not adverted to a cartouch-box which I wore about my waist, and which, having once belonged to his Britannick majesty, presented, in front, the gilded letters G. R. Exasperated at this trophy on the body of a rebel, one of the soldiers seized the belt with great violence, and in the attempt to unbuckle it, had nearly jerked me off my legs. To appease the offended loyalty of the honest Scot, I submissively took it off and delivered it to him, being conscious that I had no longer any right to it. At this time a Hessian came up. He was not a private, neither did he look like a regular officer: he was some retainer, however, to the German troops; and was as much of a brute as any one I have ever seen in the human form. The wretch came near enough to elbow us; and half unsheathing his sword, with a countenance that bespoke a most vehement desire to use it upon us, he grinned out in broken English, *Eh, you rebel, you damn rebel!* ”

“ These transactions, which occupied about ten minutes, passed upon the spot on which we were taken, whence we were marched to an old stable or out-house, where we found about forty or fifty prisoners already collected, principally officers. We remained on the outside of the building; and for nearly an hour sustained a series of most intolerable abuse. The term rebel, with the epithet *damned* before it, was the mildest we received. We were twenty times told, sometimes with a taunting affectation of concern, that we should every man of us be hanged; and were nearly as many times paraded with the most inconceivable insolence, for the purpose of ascertaining whether there were not some deserters among us; and these were always sought for among officers, as if the lowest fellow in their army was fit for any post in ours. ‘ There’s a fellow,’ an upstart Cockney would exclaim, ‘ that I could swear was a deserter.’ ‘ What countryman are you sir? did you not belong to such a regiment?’ I was not indeed challenged for a deserter; but the indignity of being ordered about by such contemptible whipsters, for a moment unmanned me, and I was obliged to apply my handkerchief to my eyes. This was the first time in my life, that I had been a victim of brutal, cowardly oppression; and I was unequal to the shock; but my elasticity of mind was soon restored, and I viewed it with the indignant contempt it deserved.

“ For the greater convenience of guarding us, we were removed from this place, to the barn of Colonel Morris’s house, already mentioned, which had been the head-quarters of our army, as it now was of the royal one. This was the great bank of deposite for prisoners taken out of the fort; and already pretty well filled.

It was a good new building, and we were ushered into it among the rest, the whole body consisting of from a hundred and fifty, to two hundred, composing a motley group to be sure. Here were men and officers of all descriptions, regulars and militia, troops continental and state, some in uniforms, some without them, and some in hunting shirts, the mortal aversion to a red coat. Some of the officers had been plundered of their hats, and some of their coats; and upon the new society into which we were introduced, with whom a showy exterior was all in all, we were certainly not calculated to make a very favourable impression.

“The officer who commanded the guard in whose custody we now were, was an ill-looking, low-bred fellow of this dashing corps of light infantry. As I stood as near as possible to the door for the sake of air, the enclosure in which we were being extremely crowded and unpleasant, I was particularly exposed to his brutality; and repelling with some severity one of his attacks, for I was becoming desperate and careless of safety, the ruffian exclaimed, *Not a word, sir, or I'll give you my butt*, at the same time clubbing his fusée and drawing it back as if to give a blow. I fully expected it, but he contented himself with the threat. I observed to him that I was in his power, and disposed to submit to it, though not proof against every provocation.

“As to see the prisoners was a matter of some curiosity, we were complimented with a continual succession of visitants, consisting of officers of the British army. There were several of these present, when the sergeant-major came to take an account of us; and particularly, a list of such of us as were officers. This sergeant, though not uncivil, had all that animated, degagee impudence of air, which belongs to a self-complacent non-commissioned officer of the most arrogant army in the world; and with his pen in his hand and his paper on his knee, applied to each of us, in turn, for his rank. He had just set mine down, when he came to a little squat, militia officer from York county, who, somewhat to the deterioration of his appearance, had substituted the dirty crown of an old hat, for a plunder-worthy beaver that had been taken from him by a Hessian. He was known to be an officer from having been assembled among us, for the purpose of enumeration. *You are an officer, sir!* said the sergeant; *Yes*, was the answer. *Your rank, sir!* with a significant smile. *I am a keppun*, replied the little man in a chuff, firm tone. Upon this, there was an immoderate roar of laughter among the officers about the door, who were attending to the process; and I am not sure, I did not laugh myself.

“Although the day was seasonably cool, yet from the number crowded in the barn, the air within was oppressive and suffocating, which, in addition to the agitations of the day, had produced an excessive thirst; and there was a continual cry for water. I can-

not say that this want was unattended to. the soldiers were continually administering to it by bringing water in a bucket. But though we, who were about the door, did well enough, the supply was very inadequate to such a number of mouths; and many must have suffered much. Our situation brought to my recollection that of Captain Holwell and his party, in the black hole at Calcutta; and had the weather been equally hot, we should not have been much better off."

These prisoners, added to the men taken on Long Island, filled the prison, the hospital, the churches, and sugar houses of New York with suffering and dying Americans. The British immediately crossed the Hudson, and Washington was obliged to abandon Fort Lee with loss of artillery and stores, and precipitately retreat west of Hackinsack River, with the shadow of an army, every day becoming thinner. General Lee, who commanded what was now the principal body of the forces, was ordered to join the commander-in-chief as soon as possible, as the enemy evidently were pushing for Philadelphia.

One of the evils attending the fall of these brave men, was the loss of confidence in General Washington, which it occasioned. His enemies rejoiced, and boldly declared that he was unfit for his station; and none so loudly as Major-general Charles Lee. General Washington had been determined by a council of officers, and by the opinion of one in whom he ever justly placed great confidence, General Greene. Yet I believe he sorely lamented the not withdrawing these men from a post, which, if even more strongly garrisoned, could only have been held for a few days. In the commander-in-chief's letter to congress, dated from Gen. Greene's head-quarters, the 16th of November, 1776, he says, that when the army was removed in consequence of Howe's landing at Frog's Point, Colonel Magaw was left with 1200 men at Fort Washington with orders to defend it to the last. Afterward "reflecting upon the smallness of the garrison," he wrote to Greene, who commanded on the opposite side of the Hudson, to be governed by circumstances, and revoked the absolute order to Magaw. Hearing of the summons to surrender, the general hastened from Hackinsack, and was prevented crossing to Fort Washington by meeting Greene and Putnam, coming from thence, who assured him that the men were "in high spirits, and would make a good defence." Next morning the attack commenced; and when the column of Colonel Rahl had gained the ground on the hill within one hundred yards of the fort, and all the advanced troops had been driven in or taken prisoners, a flag with a second demand of surrender was sent in to Magaw, at the same time that Washington, who viewed the contest from the *palisades*, (the rocks opposite,) sent a billet to the colonel, directing him to hold out, and he

would endeavour in the evening to bring him off. It was too late : the treaty of surrender had been entered into, and could not be retracted. Magaw and his brave men became prisoners of war—the soldiers retaining their baggage and the officers their swords.

CHAPTER VII.

Retreat to the Delaware—Lee's misconduct—Affairs in the north—Colonel M'igs—Vermont—Starke.

1776 WASHINGTON wrote to his brother Augustine, November 19th, 1776, and mentioned the loss of Fort Washington:—
 “We have lost not only two thousand men that were there, but a good deal of artillery, and some of the best arms we had.” He laments that the different states are so slow in levying their quotas of men :
 “In ten days from this date, there will not be above two thousand men, if that number, of the fixed established regiments, on this side Hudson's River, to oppose Howe's whole army.” Two days after, he informed congress, that the British had followed up the blow of the 16th, by crossing the Hudson and pushing for the bridge over the Hackinsack, obliging him to retreat so as to secure that pass ; that the cannon of Fort Lee were lost, with a great deal of baggage, two or three hundred tents, a thousand barrels of flour, and other stores. He was then retreating to put the river Passaic between him and the enemy. He orders Lee to leave his present position and cross the Hudson with the continental troops. On the 27th of November, Lee had not moved. The enemy not only advanced on the track of the retreating Americans, but pushed detachments from Staten Island and passed by Amboy, Woodbridge, and the villages along the Raritan.

Lord Stirling, with two brigades, was, on the third of December, at Princeton, and the general at Trenton. Two brigades of his remaining troops, having served their time of enlistment, abandoned him, when now most wanted. General Lee's movements were unknown, both to the commander-in-chief and to congress. An express was despatched “to know where, and in what situation, he and his army were.” It was known that some of the regiments from the north had joined him. These were under St. Clair, who,

on the 27th November, had written to Gates that he would do all that he could to inspirit the troops, and get them on to Washington's army, but feared that he could not keep them together.

A disjointed, disobedient mass : *but* that the head and the heart were sound, what would have been the fate of America ! This winter showed to the great commander those on whom he might depend ; and developed, in part, the false-heartedness of others. On the 9th of December, General Washington received a letter from Lee by the hand of an officer, who had been sent to seek him and his army, and the general found, that, instead of obeying his orders to join him as soon as possible, the major-general was pursuing schemes of his own, and " hanging on the rear of the enemy," when wanted to oppose their front. The commander writes to him, on the 10th : " Do come on ; your arrival may be fortunate ; if it can be effected without delay, it may be the means of preserving a city, whose loss must prove fatal to the cause of America." And again, the next day : " Nothing less than our utmost exertions will be sufficient to prevent General Howe from possessing Philadelphia. The force I have is weak, and entirely incompetent to that end. I must, therefore, entreat you to push on with every possible succour you can bring." Generals Mifflin and Putnam were sent to Philadelphia, and they persuaded Congress to fly to Baltimore.

On the 11th of December, Lee wrote from Morristown, and gave notice that, instead of intending to follow the directions he had received, he was about to make his way to the ferry below Burlington, in case the enemy's column should cross the Delaware—an event which Washington, by securing the boats, and guarding the passes, was endeavouring to prevent ; and farther, Lee hints that the Jersey militia would turn out " if they could be sure of an army *remaining* among them." I have copied the following from an unpublished letter, in Lee's hand writing, dated Baskinridge, December 13th, 1776, and addressed to Gates :

" The ingenious manœuvre of Fort Washington has unhinged the goodly fabric we had been building : there never was so damned a stroke. *Entre nous*, a certain great man is damnably deficient. He has thrown me into a situation where I have my choice of difficulties. If I stay in this province, I risk myself and army ; and if I do not stay, the province is lost forever. I have neither guides, cavalry, medicines, money, shoes, or stockings. I must act with the greatest circumspection. Tories are in my front, rear, and on my flanks ; the mass of the people is strangely contaminated ; in short, unless something which I do not expect turns up, we are lost."

The comment upon this epistle is the fact, that something *which*

he did not expect turned up very quickly. On the morning this letter is dated, (which was probably written the evening before,) this circumspect major-general was surprised and carried off to Perth Amboy by a party of British dragoons.

The command of his army falling on Sullivan, it was safely conducted, by the route designated in the commander-in-chief's letters—thus reinforcing the main body. And in ten or twelve days after the date of this letter, Washington recrossed the Delaware with his troops, without the necessary comforts of “shoes or stockings,” and captured or drove in the advance of the British army.

General Schuyler having dismissed the militia under his command, on the 12th of November, from Albany, ordered Gates to send on the Jersey and Pennsylvania troops, to embark upon the Hudson. “I shall have sloops in readiness to convey them down.”——“General Sinclair or General Maxwell to march with the regiments destined for the southward.” At the same time Gates received a letter in a very different style :

“The enclosed, I received from *our mutual good friend, Mr. Gerry*. The tory interest is (with?) General Schuyler. Walter Livingston is to be nominal contractor, and Philip Schuyler, *major-general*, real contractor. That Livingston will take the contract, is now ascertained by his letter to me of the 8th instant, (November.)” This is signed Joseph Trumbull.*

Schuyler informed congress that he had supplied the post at Ticonderoga with provisions, and pointed out measures to anticipate any attempt of the enemy. He calls on Governour Trumbull to send on the troops, raised in his state, to “Ti” and Fort George. At the same time, we find him directing Gates to proceed with troops to aid General Washington, and calling upon influential men to establish the government of the State of New York, that the unprincipled and licentious might be controlled. To his old friend and fellow-labourer, General George Clinton, then commanding at New Windsor, he forwards timber for obstructing the navigation of the Hudson; and instructs him in the manner of constructing and sinking cascons. Such were the cares of this great man; while those who were undermining him were occupied with schemes of selfish ambition, or modes of obtaining lucrative contracts.

With great difficulty and reluctance, Gates reinforced the commander-in-chief's army with the regiments which were opposed to Carleton, before he returned to Canada to avoid the freezing of Lake Champlain. Gates then went to Congress, and his adjutant-general was sent with Arnold to arrange the militia of Rhode Island. After this, on the 25th December, did Washington, with

* See Gates' Papers, in N. Y. His. Soc. Lib.

a phantom of an army, recross the Delaware, and by his success, turn the tide of war.*

When Washington had withdrawn his forces, the whole of Long Island had become the store-house of the British troops, Sag harbour was their magazine as being convenient to their shipping, and a garrison protected their stores of hay, corn, and cattle.

1777 Early in 1777, Colonel Meigs performed a service with 234 men, which drew the following letter from General Washington, and a gift of a sword from congress :

“ Head-quarters, Middlebrook, May, 1777. Dear Sir.—I am just now favoured with your letter of the 25th, by Major Humphrey. The intelligence communicated by it is truly interesting and agreeable. And now I shall take occasion not only to give you my hearty approbation of your conduct in planning the expedition to Long Island, but to return my sincere thanks to Lieutenant Colonel Meigs, and all the officers and men engaged in it. This enterprise, so fortunate in the execution, will greatly distress the enemy in the important and essential article of forage, and reflects much honour upon those who performed it. I shall ever be happy to reward merit when in my power, and therefore wish you to inquire for a vacant ensigncy in some of the regiments for Sergeant Gennings, to which you will promote him, advising me of the same and the time.”

Colonel Meigs embarked from Newhaven, May 21st, 1777, with two hundred and thirty-four men, in thirteen whale-boats. He proceeded to Guilford, but on account of the roughness of the sea, could not pass the Sound till the twenty-third. On that day, at one o'clock in the afternoon, he left Guilford with one hundred and seventy men, under convoy of two armed sloops, and crossed the Sound to Southold, where he arrived at six o'clock. The enemy's troops on this part of the island had marched for New York two or three days before, but it was reported that there was a party at Sagg Harbour on the south branch of the island about fifteen miles distant. Colonel Meigs ordered the whale-boats to be transported over the land to the bay between the north and south branches of the island, where one hundred and thirty men embarked, and at twelve o'clock at night arrived safely on the other side of the bay within four miles of Sagg Harbour. Here

* When General Washington mustered his army, and took the field at Middlebrook, his whole effective force was 5,738. From this strong position he overlooked the Raritan, the road to Philadelphia, and the British posts at Brunswick and Perth Amboy. But, what an army was this to defend the country and the city of Philadelphia against the best troops of Britain, strong in numbers and equipments !

the boats were secured in a wood, under a guard, and the remainder of the detachment marched quickly to the harbour, where they arrived at two o'clock in the morning, in the greatest order, attacking the outpost with fixed bayonets, and proceeded directly to the shipping at the wharf, which they found unprepared for defence. The alarm was given, and an armed schooner with twelve guns and seventy men began to fire upon them at the distance of one hundred and fifty yards, which continued three quarters of an hour, but did not prevent the troops from executing their design with the greatest intrepidity and effect. Twelve brigs and sloops, one of which was an armed vessel of twelve guns, and one hundred and twenty tons of hay, corn, oats, ten hogsheads of rum, and a large quantity of merchandize, were entirely destroyed. Six of the enemy were killed and ninety taken prisoners. Not one of Colonel Meigs's men was either killed or wounded. He returned to Guilford at two o'clock in the afternoon, having been absent only twenty-five hours; and in that time had transported his troops by land and water full ninety miles, and completed his undertaking with the most entire success.*

In January of this year, (1777) that portion of the state of New York, which had long been opposed to her government, and known by a name derived from the source of dispute "the New Hampshire grants," assumed another name, and a more dignified station among the communities of the Earth. A general convention of representatives from the towns on both sides of the Green Mountains, assembled at Westminster, and on the 16th of January, 1777, proclaimed that the "district of territory comprehending, and usually known, by the name and description of the New Hampshire Grants," is hereafter a free state, and must be known by the name of New Connecticut, alias Vermont. Happily the alias prevailed.

We will look back to events which preceded this declaration of independence.

After war had fairly commenced with Great Britain in self-defence, the contest between New York and the settlers on the New Hampshire Grants ceased for the time being. The country had no civil government. They governed themselves by town meetings and committees; appointed officers and obeyed them. Sometimes the towns sent deputies to a convention on the east side of the mountains and sometimes on the west. No general plan was adopted; yet all went on smoothly. A convention that met in January, 1776, at Dorset, drew up a petition to congress, requesting, that, as they were willing to serve in the general cause, they might not

* See Thompson's History of Long Island, p. 218.

be called upon as *inhabitants of New York*; but that whatever commissions might be granted to any of them, they might be considered as inhabitants of the New Hampshire grants. Congress advised the petitioners to submit, for the present, to New York, in such manner as that their submission should not prejudice their claims when the present troubles had passed. But when, in July of that year, Congress declared that the people of the United Colonies were free and independent states, the people on the grants felt themselves absolved from all ties which might be presumed to connect them with any government whatsoever, and freed from all claims founded upon grants or decisions of the crown of Great Britain, and they consulted among themselves what was to be done in this new situation of affairs. New Hampshire had renounced all political connexion with them: not so New York. The convention of that state voted unanimously August 2d, 1776, "that all quit rents formerly due to the King of Great Britain, are now due, and owing to this convention, or such future government as shall be hereafter established in this state."

To come to some determination in this crisis, the people of the grants met in a General Convention, at Dorset, in the 24th July, 1776, and agreed upon an association for defence. On the 25th September following, they met again and resolved, that the New Hampshire Grants were "a free and independent district." This was followed in January 1777, by another general convention from the towns and the Declaration of Independence above mentioned, of the State of Vermont, happily named from their central chain of Green Mountains.

This declaration was transmitted to congress with a petition requesting that the district therein described might be ranked among the free and independent States of America, and their delegates admitted to seats in that honourable body. The time was well chosen, or happily occurred, and thenceforward Vermont was an independent state.

New York protested against this proceeding. At two several periods afterward New York attempted to bring congress to such decision on this question as she considered just, and in June, 1777, resolves passed that body, dismissing the petition of the people "styling themselves inhabitants of the Massachusetts grants," and asserting that "by raising and officering the regiment commanded by Colonel Warner," they never meant to give any encouragement to their claims of independence.

Soon after this, followed the triumphant progress of Burgoyne, until stopped by the exertions of Schuyler. It was during this progress of the enemy, that the Convention of Vermont called upon New Hampshire for aid. Starke was sent with a body of militia to

co-operate "with the troops of *that new State*," and otherwise addressing Vermont as a free and independent state.

In the recital of the military events of this period, is seen the effective assistance brought by the New Hampshire general, Starke, the successful co-operation of Warner's regiment, and the final result of the invasion from Canada.

John Starke was born in Londonderry, in New Hampshire, in the year 1728. His father was an Irishman, and with others, Scotch presbyterians, formed this settlement, but after the birth of John, removed to Manchester in the same province.

In the year 1752, John became acquainted with Indian customs and manners, owing to his going on a hunting party beyond the limits of the white population, and falling into the hands of the St. Francis tribe, who captured him and one of his companions, and made prize of the furs they had accumulated.

Starke showed his characteristick hardihood, and gained the good opinion of his captors by baffling the young men of the Indian village, when he was condemned for the amusement of the savages to run the gauntlet. The young warriors formed two lines, between which, the captive is obliged to run and receive the blows of the barbarians in his passage to the council-house, where if he arrived he was safe. Starke snatched a club from the Indian nearest to him, and starting for the race, laid about him, right and left so powerfully and unexpectedly, that he gained the goal uninjured, amidst the applause of the older men and warriors.

He was thenceforth kindly treated, and gained a knowledge of Indian character, which served him in the perilous adventures of many succeeding years of his life. Their customs and practices became familiar to him in the course of four months residence—their mode of hunting and of threading the mazes of the forest—and this knowledge made him a valuable guide, ranger, and scout, when called upon to serve his country in those capacities.

The province of Massachusetts sent agents to ransom certain of its citizens who had been captured by the Indians. These agents ransomed Starke, though not of their province; and after an absence of several months, he was returned to his family. Of the Indians Starke always spoke in terms of admiration; and asserted that he had received more kindness from them than ever he knew to be bestowed upon prisoners by civilized men.

A short time after his return, he was engaged as a guide to a company sent by New Hampshire to explore the country to the head waters of the Androscoggin. He performed this service to the satisfaction of his employers; and in 1754 was again employed as a guide by the government when they sent a party into the same region to determine the truth of a report that the French were build-

ing a fort in this wilderness. They found no French ; but reported the discovery of the fertile meadows on the banks of the Connecticut, where now the most flourishing villages of New England rear their steeples to the skies.

War commenced between Great Britain and France in 1754—a year memorable for the congress at Albany, which adopted a plan for the union of the colonies, on the 4th of July, on the same day that George Washington capitulated to a superiour force of French, at the Great Meadows. This war, occasioned by the clashing interests and views of these two great nations, called into action many Americans, and trained them for subsequent and more important military actions. Its events I have already detailed, as connected with my main subject. Starke was justly considered a man fit for the scouting service, so necessary in the warfare of the wilderness, and he received a commission as a lieutenant in the corps of Rangers, which was distinguished under the comd and of Major Rogers, in the expedition against Crown Point and subsequently.

In the actions which followed, Starke gained some knowledge of military affairs. He was present when the ignorance of General William Johnson sacrificed the worthy and intelligent Colonel Ephraim Williams, and when accident made Johnson a hero and a baronet, by destroying Baron Dieskau. This accomplished military man was mortally wounded, after his army had been defeated, and died in the quarters of his fortunate adversary.* These transactions were the school lessons of Starke.

That the services of these Rangers, to whom Starke was attached, were valuable as ministers of destruction, cannot be doubted ; but the business of lying in wait and shooting men before they are aware of the presence of an enemy—of rushing upon the dead, the dying, and the wounded, and tearing off scalps as trophies, to be exchanged for a reward in money—does not appear very consonant with humanity, morality, or the Christian religion. The instructions given to the Rangers, characterizes the nature of the corps, and the warfare carried on by the civilized nations of England and France. They were, “to use their best endeavours to distress the French and their allies, by sacking, burning, and destroying their houses, barns, barracks, etc.; by killing their cattle of every kind ; and at all times to endeavour to waylay, attack, and destroy their convoys of provisions by land and water,” wherever found.

It does not appear that Starke was distinguished in any remarkable manner until the year 1757, when, in a desperate encounter between Rogers’s Rangers and a superiour party of the French, the

* The reader will notice two discrepant statements in Vol. I, pp. 377, 378, 379, as to the time and place of Dieskau’s death. The first, there stated, and alluded to above, appears to be the correct account.

Lieutenant, by his courage and conduct, (Rogers being severely wounded,) saved those of the provincials who were not slain, from a captivity almost as disastrous. After continuing the bush-fight until night enabled them to retreat, Starke proceeded forty miles over the snow to the nearest fort, and procured sleds by which the wounded men were preserved, and the remnant of the corps brought off in safety.

Shortly after this, Starke received a captain's commission, and continued in this hard, hazardous, and little enviable service.

In 1758, Starke under the command of Rogers was active in the operations against Ticonderoga, and present in the action where the young and much beloved Lord Howe fell. Rogers with the Rangers was ordered to open the way for the army from the lake to the fort through the surrounding thickets. Starke commanded the rear of the party, and at his commander's halting at a bridge guarded by the enemy, came up and impetuously charged, driving the obstructing force before him.

The ill-judged attack of Abercrombie, and the murderous result we have seen. Starke and his rangers shared the dangers without suffering the loss or disgrace of the day. At the close of this campaign, the captain obtained a furlough, returned home, and married.

In the campaign of 1759, Starke accompanied Amherst in his triumphant progress to the subjugation of Canada—an achievement so gloriously begun and insured by the gallant Wolfe the year before.

While Rogers was employed in the destruction of the St. Francis Indians, Starke's duty was to open a road through the wilderness to Connecticut River. On the retiring of the army to winter quarters, he returned home. The next summer, he appears to have been stationed at Crown Point; and at the end of it, retired from the army by resigning his commission. The peace which followed and secured the conquest of Canada, left Starke to pursue the tranquil and honourable pursuits of agriculture and domestic life.

At the commencement of the revolutionary war, Starke espoused the cause of his country. He was a member of the committee of safety organized in his town, and was looked up to as a military leader by his neighbours. At the first tidings of bloodshed, he mounted his horse, called upon the militia of the neighbourhood to meet him at Medford, where they formed two regiments and elected Starke colonel of the first. In this regiment, as we have seen, General Dearborn commanded a company; and we have seen how nobly Starke and his New Hampshire men commenced their career of military service on the ever memorable 17th of June, 1775.

Colonel Starke was informed, in the heat of the action, that his son, a youth of sixteen, had fallen. He continued unmoved in the discharge of his duty, and was rewarded by finding that the report had originated in mistake, and was untrue.

After this event, Starke's regiment was stationed at Winter Hill; and having been ordered three successive days to Medford to receive pay, and in every instance marched back without it, owing to some ill natured pique of the paymaster, the Colonel determined to make the cashier take his turn in marching, and sent a file of men to bring him to the soldiers to settle accounts in their quarters. Starke remained at Winter Hill until the enemy retreated from Boston; but some of his men volunteered to join in the arduous expedition against Canada, led by Arnold. Of these, Captain Dearborn was one.

In May, his regiment was ordered to Canada by the way of Albany, and joined the army at St. Johns. This was after the deaths of Montgomery and Thomas, and General Sullivan had command. In the disasters and retreat that followed, Colonel Starke had his share, and was stationed on Mount Independence when the declaration of independence was read to the army, and received with cheers.

After the retreat of General Washington through East Jersey to Trenton, Starke's regiment, detached from the northern army, joined the commander-in-chief on the Delaware, and its gallant colonel led the van-guard at the brilliant attack on the Hessians at Trenton.

In all the transactions of this winter campaign, which turned the tide in favour of America, Starke was active among the foremost, and did essential service, when the time for which his men had enlisted had expired, by using his powerful influence to produce a temporary enlistment for six weeks—six weeks of the utmost importance. To re-organize his regiment, the Colonel was ordered to New Hampshire, in which he fully succeeded. While there, he learned that his name had been omitted in the recent promotions, and he was induced, (in consequence of this neglect or intended slight, which originated from the enmity or intrigue of men in office and in congress) to resign his commission and retire to domestic life. On the 21st of March, 1777, a vote of thanks for his many services passed the council and house of delegates of New Hampshire, and was communicated to him by their president.

Although Starke had retired from the army, he declared that he stood ready to obey the call of his country if she needed him: and that call was soon made. Burgoyne was advancing with what appeared to common eyes an irresistible force; although Washington and Schuyler saw that he was only advancing to certain defeat. The alarm which induced the people of the neighbouring country to fly in the first instance, soon was succeeded by the determination to rally and oppose the invaders. The settlers from New Hampshire on the territory west of the Connecticut, called upon the mother state for aid; and Langdon, the speaker of the assem-

bly, offered his property for the service of the country, and urged the immediate assistance required. "Our old friend, Starke," he said, "who so nobly maintained the honour of our state at Bunker's Hill, may be safely entrusted with the conduct of the enterprise, and we will check the progress of Burgoyne."

A force was placed under the command of General Starke, and he marched at the head of men who had implicit confidence in his conduct and courage. He had, however, stipulated with the government of New Hampshire that he should not be obliged to join the main army, and only be accountable to his own state; and that government had given directions accordingly. In consequence of this arrangement, when Starke was met by Lincoln, who had orders to conduct the militia to the main army, he refused obedience, and produced the instructions under which he acted. But upon remonstrance from Schuyler, he agreed to serve under his orders.

General Burgoyne, already straitened for provisions, and in want of horses—at the same time aware of the ill will with which the settlers on the grants looked upon the state of New York—despatched a detachment under Colonel Baum, with instructions to penetrate into Connecticut. The result will be hereafter told.

In July, 1777, General Arnold joined the northern army, under Philip Schuyler.

The importance of his military services makes it necessary to look back to his story from the time of his defeat on Lake Champlain to the present moment.

Carleton having returned to Canada, a portion of the troops on the northern frontier of New York were marched to reinforce the main army which had retreated before the army of Sir William Howe. Orders which General Washington had despatched to Arnold, directing him to repair to Rhode Island and take command, missed him by some accident; and he had little more than joined the main army, when he repaired to Providence to assist General Spencer in the defence of that part of the country against the British force stationed at Newport. Plans were formed for attacking the enemy; but a sufficient force could not be collected; and the winter passed in inactivity, though not in contentment with the ambitious Arnold. One cause of discontent flowed from the appointment of five new major-generals, without including him, and they were all his juniors. General Washington, who estimated Arnold's military talents, was as much surprised at this slight, as the object of it. He wrote a soothing letter to him, and exerted himself to repair the injustice and prevent the injury the service must sustain by the loss of Arnold. He complained of the ingratitude of his country, but demeaned himself with a self-command that was not expected from him. In reply to the commander-in-chief, he, as was common with him, expatiated on his unblemished character,

pure motives, patriotism, sacrifice of ease and happiness for his country, and did not forget his services, risks, sufferings, and loss of blood ; he had received his commission with pleasure only as a means of serving his country, and he can resign it with equal pleasure when he can no longer serve his country with honour. He requests a court of inquiry ; he sensibly feels the ingratitude of his countrymen ; but all personal injuries shall be buried in his zeal for the service of his country.

General Washington continued his exertions to remedy this injustice done to an efficient and popular officer. Congress attributed the slight to a necessity of gratifying each state by appointment of officers in proportion to the men furnished ; and as Connecticut had already two major-generals, another from that state could not be appointed.

“ I confess,” said General Washington, “ this is a strange mode of reasoning, but it may show you that the promotion which was due to your seniority was not overlooked for want of merit in you.”

Arnold was not disposed to receive consolation (under what he knew was an expression of the opinion of congress relative to his character) from the lame excuse made, or from the soothing of his great commander. The slight rankled in his breast, and with the censure of his conduct respecting the goods of the Montreal merchants, contributed to the sum of evil which was accumulating within. Determining to visit head-quarters and obtain permission to visit congress, he commenced his journey ; but in passing through Connecticut, he fell in with a body of troops commanded by General Wooster, hastily collected to oppose the ravages which Tryon was committing upon the defenceless towns and villages near the sound.

Already had this king's governour of New York penetrated from Fairfield to Danbury, and destroyed the public stores, when Arnold joined the troops which had been hastily collected by Wooster and Silliman, about 600 in number, of whom 100 were regular soldiers. When they arrived within four miles of Danbury, they learned that the mischief was done and the incendiaries on the retreat. It was night when they gained this intelligence of the enemy's motions, and they rested their army until morning ; then dividing their little army into two parties, Wooster, with one third, marched to harass the rear of the English, while Arnold and Silliman, with four hundred men, took a direction intended to intercept their retreat. Wooster soon came up with Tryon's rear and commenced an attack ; but his men recoiled on receiving a discharge from the artillery and musketry of their opponents. The veteran, to encourage them, rode forward, crying “ Come on my boys ! never mind such random shot,” and at the moment received a ball in his side and fell from his horse. He was carried to Danbury, and there died.

Before noon, Arnold, with his command, which was augmented on the way, arrived at Ridgefield and taking a position at the northern extremity of the village, he formed a barricade of carts, logs, and earth across the road the British were expected to pass. Accordingly they appeared, marching in a column in front of the barricade, and commenced firing as they advanced. The right of Arnold's post was covered by a house and barn, and his left by a ledge of rocks; and thus situated, his little band maintained a fight for some minutes against four times their number of veteran soldiers. Tryon, extending his column, was surrounding the barricade, by stretching to right and left, while he amused the Americans in front. Arnold then ordered a retreat, and as usual, was the last man to leave the ground. While thus alone, one of the flanking parties, having ascended the rocks, discharged their muskets at him, and his horse fell lifeless. The rider disengaged himself, and sat on the carcass; which being perceived by a soldier, he rushed forward to bayonet him. Arnold waited the soldier's approach until he had come so near as to make his aim with a pistol sure; then drawing one from his holsters, he shot him dead, and springing from his seat, followed his retreating companions unharmed.

Rallying his men, he continued to annoy the British during their march to their ships, and seized every opportunity which presented to throw himself and his party within skirmishing distance. This was continued during the day, and recommenced the next, without intermission. Just before the embarkation of the enemy, while exposing himself and encouraging his followers, a second horse was shot through the neck and sunk beneath him.

The news of these exploits soon reached congress, and Arnold was immediately appointed a major-general. Still he ranked below the five juniors that had preceded him; and although he continued in the service, he never forgot the injustice. General Washington continued his good offices, and to heal the wound, appointed him to a command of high responsibility. He declined it, and asked permission to repair to Philadelphia, which was granted.

On reaching the seat of congress, Arnold's complaints were loud in proportion to the popularity his daring had gained, rather than to any consciousness of moral worth. As was usual with him, he descanted on his sacrifices, services, and patriotism, and demanded an inquiry into his conduct, particularly respecting the charges brought against him by Colonel Brown. The matter was referred to the board of war, who reported that the character of General Arnold had been "cruelly and groundlessly aspersed." Congress confirmed the report, but did not restore his rank; although they complimented him with the gift of a horse suitably caparisoned.

Unfortunately, while his character was before the board of war, his accounts were before congress, and it was discovered that he

had introduced a series of extravagant charges in his own favour ; some of them dubious in their character, and others manifestly unreasonable, even if the items could be proved.—He had swelled his claims upon Congress to an enormous amount, although it was well known that he had not brought into the service either money or credit to give probability to such advances.

While his accounts were undergoing scrutiny, he was appointed to the command of the troops at Philadelphia ; and when General Howe advanced from Brunswick, Arnold was ordered to take post on the Delaware, above Trenton. When the British retired, Arnold was recalled to Philadelphia ; where, impatient that his rank was not restored, he tendered his resignation to congress, couched in his usual style—in which his honour and patriotism ever figured most conspicuously. On the day this was received by congress, they likewise received a letter from General Washington, recommending that General Arnold should be immediately sent to join the northern army, then threatened by the supposed invincible host of Burgoyne. General Washington described Arnold as “active, judicious, and brave,” and enforced his wish that he should be sent to the scene of danger, by saying that the “militia had great confidence in him.”

Flattered by this appointment, Arnold suspended his demand for justice in respect to rank, accepted the task of danger so congenial to his disposition, and repaired, in July 1777, to the army commanded by General Schuyler. Kosciusko, the engineer of the northern department, selected the high grounds near Moses Creek for the encampment of the army ; and a division under Arnold was so situated that his head quarters were between that place and Fort Edward.

In the meantime, the question of Arnold's rank was decided against him in Congress, by a majority of nearly three to one. It was the first occasion on which the yeas and nays were entered on the journals. Upon the news of this decision, Arnold asked leave of General Schuyler to retire ; but the persuasions of Schuyler prevailed upon him to stay where he was so much wanted, and Arnold volunteered to lead the expedition against St. Leger ; and on his return to the main army, he found it under the command of Horatio Gates. The left wing of the army, stationed at Loudon's Ferry, was placed under the command of General Arnold. He had two brigades, and the ever effective corps under Daniel Morgan, who likewise commanded Dearborn's light infantry. These were intended to arrest or impede the progress of Burgoyne towards Albany. But the head of opposition, gathered and prepared by Schuyler with the defeats of Baum and St. Leger, had already stopped the British general in his previously triumphant career. He lingered at

Saratoga; and the American army, elated by the late successes, advanced upon him. At Behmus's Heights, Arnold still had the command of the left division.

It was on the 13th and 14th of September, that Burgoyne crossed the Hudson, and encamped at Saratoga. On the noon of the 19th, he advanced in full force towards the American left. Arnold sent Morgan's Riflemen and Dearborn's Infantry to repulse the enemy, and prepared to support them, if necessary. Thus an action was brought on, which was supported wholly by detachments from Arnold's division, and one regiment from another brigade. Morgan had forced the enemy to retreat, and had been beaten back. Two regiments advanced to his support; and the Americans forming in a wood, again and again repulsed the advancing enemy, and in turn, when pushing forward, were obliged to retreat. In this conflict, which lasted all day, three thousand of our troops encountered the whole right wing of the British army, commanded by Burgoyne in person.

Gates and Arnold were together in the camp when word was brought that the action was undecisive. Arnold exclaimed, "I will soon put an end to it!" and set off on full gallop from the camp. But Gates despatched an aid after him and ordered him back.

The most distinguished officer of the Americans engaged that day, was Daniel Morgan. The British claimed the victory, and lay that night on their arms near the field of battle. The Americans, who had been engaged, retired at night to their camp, convinced that they could cope with their enemies on equal terms, if not beat them. The loss on each side was probably much the same.

This rencounter inspirited the army, and brought in militia from all quarters, General Lincoln, who joined Starke after the battle of Bennington, fell into the rear of Burgoyne, and pushed three detachments against the posts Burgoyne had left behind—most of which fell, and added to the prospect of complete success—although Ticonderoga and Mount Independence repulsed their assailants.

The treatment which Gates adopted on this occasion, aroused the indignation of Arnold; and shortly after, the jealous commander withdrew a portion of his command from him without his knowledge. In Gates's official communication to congress, he made no mention of Arnold or his division. Of this Arnold complained. High words passed between them; and Gates told him that he thought him of little consequence in the army.

On the 1st of October, Arnold wrote to his commander: the correspondence which passed is characterized as "haughty and arrogant on the part of Gates—intemperate and indiscreet on that

of his unruly associate." Arnold remained, although deprived of command.

Colonel Varick, writing from camp to General Schuyler, three days after the action, said, "He seems to be piqued, that Arnold's division had the honour of beating the enemy on the 19th. This I am certain of, that Arnold has all the credit of the action. And this I further know, that Gates asked where the troops were going, when Scammell's battalion marched out, and, upon being told, he declared no more troops should go; he would not suffer the camp to be exposed. Had Gates complied with Arnold's repeated desires, he would have obtained a general and complete victory over the enemy. But it is evident to me, he never intended to fight Burgoyne, till Arnold urged, begged, and entreated him to do it." After the convention of Saratoga, Colonel Varick again wrote as follows, in a letter from Albany. "During Burgoyne's stay here, he gave Arnold great credit for his bravery and military abilities, especially in the action of the 19th, whenever he spoke of him, and once in the presence of Gates."

CHAPTER VIII.

Plan of the Campaign—Gates's Intrigues—Efforts of Schuyler—Ticonderoga taken—Affair of Miss McCrea—Siege of Fort Stanwix—Retreat of St. Leger—Affair of Bennington—Transactions at Saratoga—Daniel Morgan—Death of General Frazer—Howe's Expedition up the Hudson—Capture of Burgoyne—Gates's arrogance—Wilkinson.

1777 THE British plan of the campaign of 1777, was, that Howe should with his forces occupy Washington and the main army, by attacking Philadelphia—in which he succeeded—while Burgoyne, with a well appointed army, should invade from Canada; and Clinton from the city of New York, clear the Hudson, by passing the forts at the Highlands. Burgoyne arrived from England; and with the assistance of Carleton, soon appeared on Lake Champlain; after sending St. Leger to invest Oswego and Fort Stanwix.

During the latter part of the winter, General Gates had written to Washington, (knowing his wish and having received his request,) that he, Gates, would resume his former office of adjutant-general, and with alacrity and cheerfulness repair to Morristown. The commander-in-chief thanked him for this mark of his attention to a request of his, and told him that he looked upon his resumption of the office as the only means of giving “form and regularity to our army.” St. Clair was to be sent to take command at Philadelphia. But Gates had no intention of complying with the request of Washington, but, on the contrary, was manœuvring with a party in congress to supersede Schuyler in the northern department. It was on the 10th of March, 1777, that Washington thanked Gates for complying with the wishes of congress, and appeared to be certain of his assistance as adjutant-general. On the 13th, Gates obtained an appointment for a conference with congress; and on the 25th, he received his orders from President Hancock to repair to Ticonderoga, and take the command of the army of that department. About this time, General Gates took into his family, and attached to his interests, a young man who was, by his extraordinary talents, a powerful agent in his future operations. This was Major John Armstrong, son to the general bearing that name. It was by attaching to himself those who had talents, like Armstrong, or family influence, like the Trumbulls, that this artful man strengthened himself and weakened those whose overthrow he contemplated. For it was soon notorious that the men known to be attached to Gates,

could not be confided in by Washington, however much he might wish to employ them for the service of the country.

General Schuyler endeavoured by his own exertions, and by his representations to congress and to Washington of the necessity for great exertions in the north, to meet the coming storm which he foresaw would sweep from Canada to New York by the lakes. His exertions were effective, but his advice was too little attended to ; and when, on the 20th of March, he went to Philadelphia, he found he was superseded in his command of the north by General Gates, who received his orders to that effect on the 25th. Schuyler was not a man to sink under such a blow. He took his seat in congress as a delegate from New York, and requested a committee of inquiry into his military conduct. This resulted in complete approbation ; and by a resolve of 22d May, he was directed to resume the command of the northern department.

James Lovell, a member of congress, writes to Gates,—“Those who *profess* well to our cause, judge and say that there is but one single man who can keep their subjects united against the common enemy—and that he stands on our books as commander-in-chief in the middle, or, as it is sometimes called, the northern department ; that his presence is absolutely necessary in his home quarters for their immediate succour and service, as well as that of the United States, necessarily connected ; that if he returns, he is a general without an army or military chest, and ‘why is he thus degraded?’ How this matter will be untangled I cannot now exactly determine ; but I suspect, not entirely agreeably to your *sentiments*.”

This letter was dated on the 1st of May. The resolution of the 22d “untangled” the matter. The resolution was in these words : “that Albany, Ticonderoga, Fort Stanwix, and their dependencies, be henceforward considered as forming the northern department,” and “that Major-general Schuyler be directed forthwith to proceed to the northern department, and take the command there.” A previous order that Albany should be the head-quarters of that department, was repealed. During the debate on this subject, Lovell gives Gates information of the progress, and what is said. It was asserted that by ordering him to Ticonderoga, congress did not intend to supersede Schuyler in the command, and of course that Gates had usurped authority ; and by fixing his head-quarters at Albany and issuing his orders from thence, had not conformed to the direction of congress, which required him to repair to Ticonderoga. While this was pending in the national council, Gates sent on letters to his friends by another person who had hastily resigned his commission, which had been accepted. Mr. John Trumbull wrote from Philadelphia, on the 24th of May, 1777, thus :

“I arrived last Wednesday, and immediately delivered my let-

ters, but too late: congress had already appointed General Schuyler to command in the northern department. Every possible opposition had been made by your friends, but in vain: the interest of the other party carried it—by a single vote, however. Congress are now endeavouring to devise some mode of retaining you in the service; they hope to persuade you to accept the adjutant-general's office, and are willing to comply with your own propositions. My brother writes you fully; as he has been on the spot, he knows the various manœuvres which have been performed on this occasion. I understand General Schuyler has appointed J. G. Frazer, Esq., to my late office."

Gates had been prohibited from appointing this gentleman, in these words: "it is not the intention of congress that Mr. Trumbull should be re-appointed." On the same day, Samuel Adams wrote to Gates, saying, "I have not forgot you. I shall remember the last words you said to me; the bearer is able to tell you my whole meaning. I shall not be wanting." During this time, Gates, who had been sent on for the defence of Ticonderoga in March, is informed by Wilkinson, one of his aids, that there is at that post no preparations for defence, and requests him "to let Kosciusko come back with proper authority."

Another son of Governour Trumbull's, in answer to a letter of Gates's, upon his retiring from the north, exclaims—"Righteous God! of what higher crimes, more than others, are we guilty in this department, that we are thus exposed to thy severest punishments!" "May heaven ever bless you, my dear general." This was from the paymaster-general, and written when St. Clair had avoided captivity or death, by retreat from Ticonderoga. Schuyler found that "literally nothing" had been done during his absence to improve the means of defence on the frontiers; but, as Chancellor Kent observes, he was "fortunately, in this season in good health, a blessing which he had not enjoyed the last two years. He now displayed his activity, fervour, and energy in a brilliant manner. General St. Clair was placed by him in the command at Ticonderoga, and especially directed to fortify Mount Independence. He informed congress, on the 14th of June, that considering the extensiveness of the works at Ticonderoga, the smallness of the garrison was alarming, and incompetent to maintain it, and that he found the department in the greatest confusion. Application was made to the eastern states to hasten on the remainder of their troops; and he informed them that the garrison at Ticonderoga did not then exceed two thousand two hundred men, sick included. On the 16th of June, General Washington was apprized by him of the fact that he had no troops to oppose Sir John Johnson on the Mohawk. He visited Ticonderoga and Mount Independence on the 20th, and found them not in a good state of de-

fence, and very deficient in troops and provisions; but it was resolved, at a council of officers called by him, that they be defended as long as possible. General Schuyler then hastened back to the Hudson, the more effectually to provide for the garrison, reinforcements of provisions and men, and nothing conducive to that great object was omitted. He solicited reinforcements of every kind, with intense anxiety. On the 28th of June, he communicated by expresses to General Washington, to the governor of Connecticut, to the president of Massachusetts, to the committee of Berkshire, and to the committee of safety of New York, his apprehensions for the safety of the garrison at Ticonderoga, from the inadequacy of the means of defence. On the 28th and 30th of June, (for dates now become important,) he encouraged St. Clair, that he should move up with the continental troops and militia, as soon as he could possibly put them in motion, and "he hoped to have the pleasure of seeing him in possession of his post." So again on the 5th of July, he assured him that the troops from Peekskill and the militia were in motion, and "he hoped to see him in a day or two." On the 7th, he informed General Washington, by letter, that he was up as far as Saratoga, with about seven hundred continental troops, and about one thousand four hundred militia. He was then in the utmost distress for provisions, and he then and there met the news, that General St. Clair had abandoned Ticonderoga and Mount Independence on the 6th, with the loss of all his military equipments.

The last scene of General Schuyler's military life, was full of action befitting the occasion, and worthy of his character. Every quarter of his department was replete with difficulty and danger. The frontier on the Mohawk was menaced by an army of one thousand, and six hundred regulars, Tories, and Indians, under Lieutenant-colonel St. Leger, and he cheered and encouraged Brigadier-general Herkimer to rouse the militia, and act with alacrity in defence of that frontier. He addressed the civil and military authorities in every direction, with manly firmness, and the most forcible exhortation to assist him with men, arms, and provisions; "every militiaman," he said, "ought to turn out without delay, in a crisis the most alarming since the contest began." He directed that the inhabitants retire from before the enemy, and that every article be brought off or destroyed, that was calculated to assist them—that the roads, causeways, and Wood Creek be rendered impassable. He issued a proclamation to encourage the country, and counteract that of Burgoyne. He assured General Washington, on the 12th of July, that he should retard the enemy's advance by all possible means. "If my countrymen will support me with vigour and dexterity, and do not meanly despond, we shall be able to prevent the enemy from penetrating much farther into the coun-

try." With a force of four thousand five hundred men, regulars and militia, he had to encounter or impede the progress of six thousand of the finest troops of Europe, with equipments and artillery equal to their discipline.

Fort George was abandoned on the 14th of July, for it was utterly indefensible, being only part of an unfinished bastion holding one hundred and fifty men. On the 24th of July, Schuyler retired with his army to Moore's Creek, four miles below Fort Edward, as the latter was only a heap of ruins, and always commanded by the neighbouring hills. The enemy kept pressing upon his advanced posts, but in the midst of unparalleled difficulties, his retreat was slow and safe, and every inch of ground disputed. The distress of the army, in want of artillery and every other military and comfortable equipment, was aggravated by despondency and sickness, and the restlessness and insubordination of the militia. They could not be detained. Almost all the eastern militia had left the army. By the advice of a council of general officers, Schuyler was obliged to let one half of the militia go home under a promise of the residue to continue for three weeks. Though the subject of popular calumny, he did not in the least despond or shrink from his duty. "I shall go on," he writes to General Washington, "in doing my duty, and in endeavours to deserve your esteem." He renewed his call on the eastern states for assistance, and told his friend, Governour Trumbull, of Connecticut, (whom he always mentioned with the highest esteem, and between whom and Schuyler a mutual confidence and attachment had invariably subsisted,) that "if the eastern militia did not turn out with spirit, and behave better, we should be ruined." The greatest reliance was placed on the efforts of his own more immediate countrymen, and his most pathetick and eloquent appeals were made to the council of safety of the state of New York for succours to enable him to meet the enemy in the field. By the beginning of August, he was preparing to act on the offensive, and by his orders of the 30th of July and 13th of August, General Lincoln was directed to move with a body of troops to the north of Cambridge, towards Skeenesborough, and take command of the troops under General Starke and Colonel Warner, who had orders to join him; and if he should have force enough, to fall on the enemy in that quarter. As Burgoyne advanced down the Hudson, there was constant skirmishing at the advanced posts, and General Schuyler retreated slowly and in good order down to Saratoga, and then to and below Stillwater, and in every instance by the unanimous advice of his officers.

During this eventful period, the western branch of Schuyler's military district was in the utmost consternation and peril. The army under St. Leger had besieged Fort Stanwix; and General Herkimer, with eight hundred of the frontier militia, marching to

the relief of the fortress, was attacked by a detachment of the enemy, under Sir John Johnson, and defeated at Oriskany, on the 6th of August. On the 16th, General Schuyler despatched Arnold with three regiments, amounting in the whole only to five hundred and fifty men, to take charge of the military operations on the Mohawk.

But the period of his eminent services was drawing to a close. Congress, yielding to the clamour and calumny of the people and militia of the eastern states, suspended General Schuyler's command, and on the 19th of August, (three days after the victory at Bennington,) General Gates arrived in camp, and superseded him. General Schuyler felt acutely the discredit of being recalled in the most critical period of the campaign, and after the labour and activity of making preparations to repair the disasters of it, had been expended by him, and when he was in vigorous preparation to win, and almost in the act to place the laurels of victory on his brow. "I am sensible," said this great and injured man, in his letter to congress, "of the indignity of being ordered from the command of an army, at a time when an engagement must soon take place;" and when, we may add, he had already commenced offensive preparations, and laid the foundation of future and glorious triumphs.

The whole country looked to the Fort of Ticonderoga as a safeguard against Burgoyne and his army: but when that general invested St. Clair at Ticonderoga, the defences were found insufficient, and the number of the garrison too small. Burgoyne had seized upon Mount Defiance, and commanded the place by means which had been pointed out to Gates by the adjutant-general, Col. Trumbull, more than a year previous. St. Clair precipitately abandoned the place, and with his retreating army crossed to the east side of the lake, after much suffering, and was pursued by General Grant with the elite of Burgoyne's army—who, after taking possession of Ticonderoga and its dependencies, and despatching aid to Colonel St. Leger by Lake George, to co-operate with Sir John Johnson and the Iroquois under Brant, pushed with the main army and his fleet to Skeenesborough, now Whitehall. Grant followed on the north side of the lake until his Grenadiers overtook part of the American army in the Hubbardstown road, and were repulsed. General Reidesel was wounded, and left at Castleton.

Governour Morgan Lewis, who was then quarter-master general of St. Clair's army, arrived at Fort Edward, now a village of that name, to receive Van Schaick's regiment, and quarter them there. At that time, Fort Edward commanded the entrance of the Hudson from the west, a little below the present village of Sandy Hill. It is now scarcely visible. On the road thither, Gouvernour Lewis and suite stopped at a house in the woods, occupied by the widow of

a Scotch highlander, and a country girl, of the name of McCrea, who were unprotected—there being in the house no other person than a negro woman. They advised the old woman and the young one to remove, as the British were coming that road. As they appeared confident of their situation, they were left. In the evening, Van Schaick's regiment was quartered at the fort, and Lieutenant Van Vechten and a sufficient guard were placed at a proper distance from the enemy. In the morning, Lewis and suite rode back the same way to gain information of the approach of the British, and found the dead bodies of the young woman and Lieutenant Van Vechten stripped, and laying side by side. He and his guard had been surprised; scalped, and tomahawked; and she was killed by blows of the tomahawk on her head, but not scalped; and her hair had been so adjusted as to form a covering of decency. The party rode to the house and found there only the black woman, who said she had hid herself in the cellar while the Indians took the other women away.

It appears that a young man who attended a mill on the Hoosick, near which the British army passed, had joined them as a guide; and being engaged to this young woman, and knowing his proximity to the armies, employed some Indians, with the promise of two kegs of whiskey, to bring her and her protectress, the old Scotch woman, to him. These Indians had surprised Van Vechten and his guard, and then quarrelling who should have the whiskey, killed the young woman, as the most summary mode of settling the dispute.

Gates wrote an insolent letter to the English commander, misstating the fact, and accusing that officer (whom he sneeringly calls "the famous Lieutenant-general Burgoyne, in whom the fine gentleman is united with the soldier and the scholar,") with hiring "the Savages of America to scalp Europeans and their descendants," and says: the bride, dressed to receive her promised husband, "met her murderer, employed by you." To this, the answer of General Burgoyne was, though indignant, that of a gentleman and a scholar.

Governour Lewis says, he by chance entered the commander's tent when this absurd letter was in preparation by Doctor Potts, the surgeon-general; and it being read aloud, some remarked upon the inaccuracy of the statement; but Gates shouted, "Never mind—colour it high, Doctor—colour high."

Schuyler was at Stillwater, endeavouring to bring his army to Ticonderoga and take command of that fortress, when he received information of the retreat of St. Clair, and soon after was joined by the retreating army.

At Fort Edward, Burgoyne made a halt, and sent Colonel Baume to Vermont.

After giving an account of St. Leger, we shall return to Starke and Baume.

In the year 1815, the house of James Lynch, Esq., covered the east bastion of old Fort Stanwix. The writer, from a window in that house, made a drawing of the remains of the fort. The block house still occupied the centre of the fortification, and the mounds of earth which formerly made the ramparts of the fort, were beyond. The church, and other publick buildings of the village of Rome, formed the distance.

In 1777, this was called Fort Schuyler, and garrisoned by Colonel Gansevoort, as the safeguard of the valley of the Mohawk.

St. Leger found no enemy in his route by Oswego, strong enough to detain him. He sent Lieutenant Bird and Brant to invest the fort, preparatory to his arrival with the rest of his forces. Fortunately, Colonel Marinus Willet, with his regiment, had been thrown into the fort, and the unfinished defences were directed henceforth by him.

In June, Gansevoort wrote to Schuyler—"I am sorry to inform your Honour that Captain Gregg and Corporal Madison, of my regiment, went out a gunning yesterday morning, contrary to orders. It seems they went out just after breakfast, and at about ten o'clock Corporal Madison was killed and scalped. Captain Gregg was shot through his back, tomahawked and scalped, and is still alive. He informs me that the misfortune happened about ten o'clock in the morning. He looked at his watch after he was scalped. He saw but two Indians. He was about one mile and a half from the fort, and was not discovered until two o'clock in the afternoon. I immediately sent out a party and had him brought into the fort, just after three o'clock; also the corpse of Madison. Gregg is perfectly in his senses, and speaks strong and hearty, notwithstanding that his recovery is doubtful."

And in July, he again wrote to Schuyler—"Having taken an accurate review of the state of the garrison, I think it is incumbent on me to inform your Excellency by express of our present circumstances. Every possible assistance is given to Captain Marquizee, to enable him to carry on such works as are deemed absolutely necessary for the defence of the garrison. The soldiers are constantly at work—even such of them as come off guard are immediately turned out to fatigue. But I cannot conceal from your Excellency the impossibility of attending fully to all the great objects pointed out in the orders issued to the commanding officer on the station, without further assistance. Sending out sufficient parties of observation, felling the timber into Wood Creek, clearing the road from Fort Dayton, which is so embarrassed, in many parts, as to be impassable, and prosecuting, at the same time, the internal business of the garrison, are objects of the greatest importance, which

should if possible, be immediately considered. But while no exertions compatible with the circumstances we are in, and necessary to give your Excellency satisfaction with respect to all interesting matters, shall be omitted, I am very sensible it is not in our power to get over some capital obstructions without a reinforcement. The enclosed return, and the difficulties arising from the increased number of hostile Indians, will show to your Excellency the grounds of my opinion. One hundred and fifty men would be needed speedily and effectually to obstruct Wood Creek ; an equal number will be necessary to guard the men at work felling and hauling of timber. Such a deduction from our number, together with smaller deductions for scouting parties, would scarcely leave a man in the garrison, which might therefore be easily surprised by a contemptible party of the enemy. The number of inimical Indians increases. On the affair of last week only two made their appearance. Yesterday a party of at least forty, supposed to be Butler's emissaries, attacked Ensign Sporr with sixteen privates, who were out on fatigue, cutting turf about three quarters of a mile from the fort. One soldier was brought in dead and inhumanly mangled ; two was brought in wounded—one of them slightly and the other mortally. Six privates and Mr. Sporr are missing. Two parties were immediately sent to pursue the enemy, but they returned without being able to come up with them. This success will no doubt, encourage them to send out a greater number ; and the intelligence they may possibly acquire, will probably hasten the main body destined to act against us in these parts. Our provision is greatly diminished by reason of the spoiling of the beef, and the quantities that must be given from time to time to the Indians. It will not hold out above six weeks. Your Excellency will perceive, in looking over Captain Savage's return of the state of the artillery, that some essential articles are very scarce. As a great number of the bullets do not suit the fire-locks, some bullet moulds of different sizes for casting others, would be of great advantage to us. Our stock of powder is absolutely too little ; a ton, in addition to what we have, is wanted as the lowest proportion for the shot we have on hand. We will, notwithstanding every difficulty, exert ourselves to the utmost of our power ; and if your Excellency will be pleased to order a speedy reinforcement, with a sufficient supply of provision and ammunition to enable us to hold out a siege, we will, I hope, by the blessing of God, be able to give a good account of any force that will probably come against us."

John Jay, then sitting in the convention at Esopus, wrote thus :—July 21st, 1777—"The situation of Tryon County is both shameful and alarming. Such abject dejection and despondency, as mark the letters we have received from thence, disgrace human nature. God knows what to do with, or for them. Were they

alone interested in their fate, I should be for leaving their cart in the slough till they would put their shoulder to the wheel.

“Schuyler has his enemies here, and they use these things to his disadvantage. Suspicions of his having been privy to the evacuation of Ticonderoga spread wide ; and twenty little circumstances, which perhaps are false, are trumped up to give colour to the conjecture.”

But General Herkimer contrived to arouse the militia of his neighbourhood ; marched with a body of militia to support Fort Stanwix, and had arrived within five or six miles of that post when he learned that Sir John Johnson, with his savages, had been sent by St. Leger to intercept his force, not consisting of more than eight hundred undisciplined men. The strife that ensued is called the battle of Oriskany, and the field is pointed out between Utica and Rome. At the first fire of the enemy, many of the militia were killed, and some fled ; Herkimer and a brave band sustained the fight, even hand to hand ; and the Indians, being worsted, are said to have conceived that the British had betrayed them, and in their rage killed their friends, making the confusion of a contest carried on with knives, muskets, bayonets, and tomahawks, in close fight, or from behind logs and trees, more awful. Sir John and his party retreated, and carried off the slain, and several prisoners. Herkimer was wounded and carried to his own house, where he died.

Scarce had St. Leger sent off Sir John Johnson with his Tories, and Brant with his Indians to meet Herkimer, when Colonel Willet made a sortie, and falling upon the enemy's camp, drove them off, and carried back a quantity of arms and stores. The English rallied and attempted to prevent his return to the fort, but he charged them and carried off his booty in triumph. The commander, Colonel Gansevoort, finding that the enemy increased around him by bringing on more savages, was anxious to call upon the country below for relief. Colonel Willet and Lieutenant Stockwell undertook the hazardous enterprise of passing through the surrounding host of savages and other rangers, now made watchful by the previous attacks ; and these gallant gentlemen, both skilled in Indian warfare, crept on their hands and knees through the enemy's camp, eluding even the keen senses of the savage warriors, and arrived safe at the head-quarters of General Schuyler.

This produced the effect in an unexpected manner. As Arnold was advancing up the Mohawk, a fellow who was a tory, and accused of being a spy, was brought into his camp. After examining the circumstances, Arnold wisely determined to avail himself of this man's service. He proposed to him a scheme for alarming the enemy, particularly the savages, by announcing to them,

that a formidable army was in full march to destroy them ; and assured him of his life, and estate, if he would enter heartily into the interests of his country, and faithfully execute a mission of this nature. The spy, who was shrewd and resolute, versed in the language and manners of the Indians, acquainted with some of their chiefs, and therefore perfectly qualified for this business, readily engaged in the enterprise.

Colonel St. Leger had pushed the siege with considerable activity ; and advanced his works within one hundred and fifty yards of the fort. Upon the spy's arrival, he told a lamentable story of his being taken by Arnold, his escape from hanging, and the danger which he had encountered in his flight ; and declared at the same time that a formidable army of Americans was marching with full speed to attack the British. The Americans, he observed, had no hostility towards the Indians, and wished not to injure them ; but added, that, if the Indians continued with the British, they must unquestionably take their share of whatever calamities might befall their allies.

The Indians being thus thoroughly alarmed, a friendly chief, who was in the secret, arrived, as if by mere accident ; and in the mysterious manner of that people began to insinuate to his countrymen, that a bird had brought him intelligence, of great moment. This hint set their curiosity afloat ; and excited a series of anxious inquiries. To these he replied in hints, and suggestions, concerning warriors in great numbers, marching with the utmost rapidity, and already far advanced. The Indians, already disgusted with the service, which they found a mere contrast to the promises of the British commanders, and their own expectations, and sore with the loss which they had sustained in the battle with General Herkimer, were now so completely alarmed, that they determined upon an immediate retreat.

St. Leger, who had unwisely boasted, at first, of his own strength, and his future exploits against the Americans, and spoken contemptuously of their weakness and cowardice ; who had predicted in magnificent terms the certainty of their flight ; and the ease, and safety, with which the Indians would reach Albany ; had disgusted these people thoroughly by failing altogether of the fulfilment of his promises. In vain, therefore, did he exert all his address, when he saw them preparing to quit the ground, to dissuade them from their purpose. He exhorted, argued, and promised in vain. They reproached him with having violated all his former promises ; and pronounced him undeserving of any further confidence. He attempted to get them drunk ; but they refused to drink. When he found all his efforts fruitless, and saw that they were determined to go, he urged them to move in the rear of his army ; but they charged him with a design to sacrifice them for his

own safety. In a mixture of rage and despair, he broke up his encampment with such haste, that he left his tents, cannon, and stores to the besieged.

Thus was Burgoyne's *right* arm withered ; and the *left*, which he had stretched as far as Bennington, was arrested by our old friend, Starke, of Bunker Hill memory, who had been roused by the calls of General Schuyler.

“ On the 13th instant, says Starke, whose letter I copy, I was informed that there was a party of Indians at Cambridge on their march to this place, (Bennington.) I sent Lieutenant-colonel Grey of my brigade to stop them, with two hundred men. In the night I was informed, by express, that there was a large body of the enemy on their march in the rear of the Indians. I rallied all my brigade, and what militia was at this place, in order to stop their proceedings. I likewise sent to Manchester to Colonel Warner's regiment, that was stationed there: likewise sent expresses for the militia to come in with all speed to our assistance, which was punctually obeyed. I then marched in company with Colonels Warner, Williams, Herrick, and Brush, with all the men that were present. About five miles from this place I met Colonel Grey on his retreat, and the enemy in close pursuit after him. I drew up my little army in order of battle ; but when the enemy hove in sight they halted on a very advantageous hill or piece of ground. I sent out small parties in their front to skirmish with them, which scheme had a good effect ; they killed and wounded thirty of them without any loss on our side. But the ground that I was upon did not suit for a general action. I marched back about one mile, and encamped ; called a council, and it was agreed we should send two detachments in their rear, while the other attacked them in front ; but the 15th rained all day ; therefore had to lay by, could do nothing but skirmish with them. On the 16th, in the morning, was joined by Colonel Simmons, with some militia from Berkshire county. I pursued my plan, and detached Colonel Nichols with two hundred men to attack in the rear. I also sent Colonel Herrick, with three hundred men, in the rear of their right, both to join to attack their rear. I likewise sent the Colonels Hubbard and Stickney with two hundred men in their right, and sent one hundred men in their front to draw away their attention that way ; and about three o'clock we got already for the attack. Colonel Nichols began the same, which was followed by all the rest of those that were detached. The remainder of my little army I pushed up in the front, and in a few minutes the action became general. It lasted two hours, the hottest I ever saw in my life—it represented one continued clap of thunder ; however, the enemy was obliged to give way, and leave their field-pieces and all

their baggage behind them. They were all environed within two breastworks with their artillery.

“ I then gave orders to rally again, to secure the victory : but in a few moments was informed there was a large reinforcement on their march, within two miles of us.

“ Luckily for us, that moment Colonel Warner’s regiment came up fresh, who marched on and began the attack anew. I pushed forward as many men as I could to their assistance. The battle continued obstinate on both sides till sunset ; the enemy was obliged to retreat ; we pursued them till dark : but had daylight lasted one hour longer, we should have taken the whole body of them. We recovered four pieces of brass cannon, some hundred stands of arms, and brass barrelled drums, several Hessian swords, about seven hundred prisoners, two hundred and seven dead on the spot ; the number of wounded is yet unknown. That part of the enemy that made their escape, marched all night. We returned to our camp.”

General Gates arrived in time for both these victories to be attributed to him, as commander of the northern department.

General Burgoyne made a long pause at Fort Edward. Schuyler having impeded Wood Creek, the British could only bring their cannon, batteaux, provisions and other material by the carrying place from Lake George to the Hudson.

Inspired by the fall of St. Leger, and by the victory of Starke, the militia poured in from all quarters. But Gates arrived on the 19th, in time to receive Starke’s report of the battle, and the congratulations of all his partisans : nay, the country generally, attributed every success to him ; and all the previous retrograde movements were ascribed to want of skill or courage in the man who, by his foresight, exertion, perseverance, and firmness, had already stopped the progress of the enemy, and prepared the victory for his rival.

Gates had ordered General Lewis to make his camp at the plain in the vicinity of Behmus’s Heights when Kosciusko arrived. In Governour Lewis’s words : “ having delivered his letters, Kosciusko came to the spot where Colonel Lewis and others were engaged in preparations for the position of the army, according to the commanders directions. Kosciusko entered into conversation with the Colonel, and remarked, that the place chosen by General Gates was commanded by hills on every side, and as the enemy was approaching their commander would undoubtedly take advantage of the heights. “ From yonder hill” said he, “ on the left,” pointing to the ground, afterwards the field of battle, and named from a farmer there residing, “ your encampment may be cannonaded by the cannon of the enemy, or from that on our right they may take aim at your shoe-buckles.” Colonel Lewis agreed with

him, and asked him to communicate his opinion to General Gates. This appeared a matter of difficulty. It certainly would be questioning the general's military science or judgment of positions. Who then was to break the subject to the chieftain? Wilkinson was mentioned as the man most in his confidence: and Colonel Lewis introduced Kosciusko to him. Conducted to Gates, the engineer made his objections to the intended encampment, in such a manner as to cause an order to Colonel Lewis and others of the staff, immediately to accompany Kosciusko to the neighbouring eminences, and to lay out the encampment as he should direct. Arrived on Behmus's Heights, the Polander rode rapidly round a part of the hill and exclaimed, "this is the spot!" It was Colonel Lewis's duty to design the plan of encampment; but he, acknowledging his inexperience, applied to the engineer, who immediately demanding and receiving a statement and enumeration of the various corps of which the army was composed, and their several characters, pointed out with promptitude and decision the position for each; and before night every division, brigade and regiment, was placed in the quarter allotted, and the whole was found most admirably fitted for defence as well as adapted to the number of men in each corps."

Burgoyne did not cross the Hudson until the 13th and 14th of September, and on the 7th of October made his attack, for which I again recur to Governour Lewis: "Burgoyne having advanced, taken his position, and reconnoitered that of his adversary, saw the necessity of turning the left of the American position, and on the 19th of September, ordered the 62d under General Frazer to perform this service. This movement of the British appears first to have attracted the attention of General Arnold, who sent an order to Colonel Morgan to counteract the enemy's intention.

The prominent part which Morgan bore in the events of this stirring period, render proper a short notice of his previous history.

Daniel Morgan was born in New Jersey, in the year 1736. He was a man of gigantick proportions, and athletick beyond most men. Of humble parentage, he had little school education, and early in life went to Virginia to "seek his fortune." He was at Monongahela with Braddock, Washington, and Gates, but probably unknown to either. In the humble station of a wagoner attendant upon the army, young Morgan was, on a charge of contumacy to a British officer, tied up, and tortured, mind and body, by five hundred lashes on the naked back. The youth bore this disgraceful infliction in a manner that marked an intellect as powerful as his body was strong. He knew it was unjust, and, in a few days, the officer acknowledged that he had wronged the young provincial, and made an apology. Morgan might forgive, but such humiliating treatment could not be forgotten; and when in after life he led

his riflemen into action, he might perhaps remember the red-coated officer that ordered, and the red-coated drummer that inflicted, five hundred gashes on his quivering flesh. He afterward served under Colonel George Washington in the war on the Virginia frontier, and experienced the horrors of Indian warfare in the provincial service. Before the commencement of the dispute with England, Morgan became a man of property, and owned a plantation in Frederick county. Immediately on the news of hostilities he was appointed a captain, and his character for courage and unrivalled prowess gained him a full complement of choice spirits. This company was the nucleus of the celebrated corps that carried confidence to friends, and terroure to the enemy, throughout the revolutionary war. He was with Arnold in the unparalleled march through the wilderness to Quebec—led the van in the assault on that fortress—he was a victor, and in the town, when the death of Montgomery consigned him and his companions to captivity. After being exchanged, he was appointed a colonel, and his rifle corps was the efficient right-hand of the American army. Although the commander-in-chief could ill spare such an officer, and a regiment dreaded by the foe, he, in August, 1777, sent Morgan and his riflemen to the support of Gates and the northern army. It is a matter of general history, that in every battle that preceded the surrender of the English army, Morgan and his corps were conspicuous, and the enemy acknowledged that their defeat was in a great measure owing to the deadly rifles and their undaunted leader.

The manner in which Morgan received Arnold's order before alluded to, was witnessed by Govenour Lewis, and is so admirably described, that I must endeavour to use his words: "Dr. Potts, the surgeon general, was in the habit of indulging himself with a highly seasoned lunch, a broiled kidney, if at hand, or something equivalent, well peppered and called a devil. This *tit bit* was prepared frequently in the marquee of Colonel Lewis, about noon, to accommodate the Doctor; which with a can of grog, he found it convenient to take in the quarters of the chief of the staff. This day Daniel Morgan had joined with some others in the soldier-like indulgence. I was looking on the repast said the General, and Morgan had the can uplifted, when an orderly entered the tent. 'Are you General Arnold's orderly?' 'Yes, sir, and I have a note for Colonel Morgan.' It was given as directed; Morgan emptied the can, read the note, and throwing it upon the table, struck his gigantick fist on the festive board, exclaiming, 'It shall be done or my name is not Dan!' He immediately rose and left us, continued Colonel Lewis. The quere was, what is this that is to be done? What is the tenor of the note? There it lies, open—shall we read it?—It is left for us to read? said Colonel Lewis; I'll know what it is, and accordingly he read aloud:

“The enemy in force is advancing to turn the left of our position. Colonel Morgan will meet him with his command and immediately engage him.” We now knew the meaning of ‘it shall be done or my name is not Dan!’ and we were all eager to see the sport. Our horses were ordered, and as soon as we could mount we pushed toward the left of the encampment. The sound of musketry directed us to the promontary on which Kosciusko said, ‘This is the position for us.’ And looking down we saw the British advancing, and Morgan’s riflemen, with Dearborn’s infantry, (a picked corps attached to this celebrated regiment,) in the act of forming in three columns. Morris, a Jerseyman as well as Morgan, was his major, and commanded one: Butler another: and Dearborn the third, being his command of 350 light infantry, who advanced with fixed bayonets.* Dearborn led; and the riflemen followed—the British broke—and as soon as Morgan’s sharpshooters had gained a field of wheat stubble, a clearing on which the girdled trees stood lifting their dead tops to the sky, and affording by their trunks an inviting shelter for the marksman, than every man selected a tree, and of the 62d regiment which marched up in full strength, only a beggarly few were left to answer at the next muster.”

It was here that General Frazer fell; and it has been said, that Morgan regretted to his last hour, that he pointed him out to his riflemen, and ordered them to take aim at the general officer on the white horse, as he was General Frazer and the soul of the field.

This story in all its parts General Lewis controverts. In the first place, Morgan did not know Frazer; who had not been previously in any action, or any place where the colonel of the rifle corps could have met him: having joined the army of Burgoyne directly from England. Secondly, he fell at a distance so great from Morgan, at the time, that (independant of smoke) he could not have seen or distinguished him. Thirdly, by the testimony of Captain Bibby, who was one of Frazer’s aids, that general was not on horseback when he received his wound. He and his suite had been mounted and reconnoitering previously, but concluding from appearances that no action would take place, had dismissed the horses of the company; and although, when the Americans were advancing he had again ordered the steeds to be brought, he was killed before their arrival, standing in the rear of the 62d regiment. This statement was confirmed to General Lewis by Captain Valancey, an officer who was near Frazer when he fell; and Valancey was subsequently a prisoner with the Americans. So uncertain is history! So difficult is it to arrive at truth!

* Morgan directed the whole.

After the battle of the 19th of September, Gen. Burgoyne took a position almost within cannon shot of the American camp, fortified his right wing, and rested with his left upon the Hudson. Thus the two armies remained until the 7th of October: Burgoyne in the hope of aid from below, where he knew by advice from Clinton that he was advancing; and Gates receiving additional troops every day. From congress, the general received complimentary resolves; and from one of the members, James Lovell, before mentioned, a letter containing expressions which show the progress of the cabal against the commander-in-chief. He says, if Gates would allow Burgoyne leisure, he might write a farce "at the expense of congress at least, if not at the expense of congress and General Washington." He intimates that people say Howe would not have advanced seventy miles from his ships if Gates had been in his neighbourhood; and concludes with this curious paragraph: "By the winter, the middle army will be divided into Greenites and Mifflinites, if things do not take a great turn from their present situation."

While these important events were going forward in the north, an expedition from New York was undertaken by Sir Henry Clinton. His obvious intention was to relieve General Burgoyne; but it was undertaken at too late a period to render him any assistance—a fact admitted by Sir Henry himself—who excused the delay by stating that he could not attempt it sooner without leaving the defences of New York too feebly guarded. This expedition consisted of about three thousand men, convoyed by a fleet under Commodore Hotham, who proceeded up the Hudson River early in October, and was destined, in the first instance, against Forts Montgomery and Clinton, near the southern boundary of the Highlands. These fortresses had been constructed chiefly for the purpose of preventing the ships of the enemy from ascending the river, and were not defensible in the rear. They were commanded by Governour Clinton, with the assistance of General James Clinton, his brother.

The troops of the enemy were landed at Stoney Point, twelve miles below the forts. A small advanced party of the Americans was met and attacked at about 10 o'clock in the morning of the 6th of October, when within two and a half miles of the fort. This party was of course driven in, having returned the enemy's fire. When arrived within a mile of the forts, Sir Henry divided his troops into two columns; the one, consisting of nine hundred men under Lieutenant Colonel Campbell, was destined for the attack on Fort Montgomery; the other, under the immediate command of Sir Henry Clinton, was to storm the stronger post of Fort Clinton. Ascertaining that the enemy were advancing to the west side of the mountain, to attack his rear, Governour Clinton ordered a detachment of upwards of one hundred men, under Col. Lamb,

together with a brass field-piece and fifty men more, to take a strong position in advance. They were soon sharply engaged, and another detachment of an equal number was sent to their assistance. They kept their field-piece sharply playing upon the enemy's advancing column, and were only compelled to give way by the point of the bayonet—spiking their field-piece before they relinquished it. In this preliminary encounter the loss of Sir Henry was severe.

Pressing rapidly onward, both forts were in a few minutes attacked with vigour upon all sides. The fire was incessant during the afternoon until about five o'clock, when a flag approaching, Lieutenant Colonel Livingston was ordered to receive it. The officer was the bearer of a peremptory summons to surrender, as he alleged, to prevent the effusion of blood. Nor would he treat, unless upon the basis of a surrender of the garrison as prisoners of war, in which case he was authorized to assure them of good usage. The proposition being rejected with scorn, in about ten minutes the attack was renewed, and kept up until after dark, when the enemy forced the American lines and redoubts at both forts, and the garrisons, determined not to surrender, undertook to fight their way out. The last attack of the enemy was desperate; but the Americans, militia as well as regulars, resisted with great spirit, and favoured by the darkness, many of them escaped. Governour Clinton himself escaped by leaping a precipice in the dark, and jumping into a boat, in which he was conveyed away. His brother was wounded and taken prisoner. Of the British forces, Lieutenant-colonel Campbell and Count Grabouski, a Polish nobleman, engaged as a volunteer, were slain. The loss of the Americans, killed, wounded, and missing, was stated at two hundred and fifty. The British loss was stated at two hundred, but was believed to have been much more than that of the Americans.

On the 7th, a summons to surrender, signed jointly by Sir Henry Clinton and Commodore Hotham, was sent to Fort Constitution; but the flag was fired upon and returned. To avenge the insult, an attack was immediately determined upon; but on arriving at the fort on the following day, there was no enemy to assault—an evacuation having taken place, so precipitate as to leave considerable booty to the conqueror; Sir Henry Clinton proceeded no farther; but a strong detachment of his army, under General Vaughan, pursued the enterprise, with Commodore Hotham, as far north as Esopus, destroying several vessels by the way. At Esopus Creek there were two small batteries and an armed galley, mounting, however, in all, but six or seven guns. These were easily silenced. General Vaughan then effected a landing, marched to the town, and laid it in ashes. Large quantities of stores had been accumulated at this place, which were of course destroyed. Disappointed,

however, by the disastrous campaign of Burgoyne, Sir Henry Clinton made an expeditious return to the city.*

To return to the north. On the 4th of October, Burgoyne sent for Generals Phillips, Riedesel, and Frazer, to consult with them on the best measures to be taken. His project was to attack and attempt to turn the left wing of the Americans at once; but the other generals judged that it would be dangerous to leave their stores under so feeble a protection as eight hundred men, according to the proposition of their commander. A second consultation was held on the 5th, at which General Riedesel positively declared that the situation of the army had become so critical, that they must either attack and force the entrenchments of Gates, and thus bring about a favourable change of affairs, or recross the Hudson, and retreat upon Fort George. Frazer approved of the latter suggestion, and Phillips declined giving an opinion. General Burgoyne, to whom the idea of retreating was most unwelcome, declared that he would make, on the 7th, a reconnoissance as near as possible to the left wing of the Americans, with a view of ascertaining whether it could be attacked with any prospect of success. He would afterward either attack the army of Gates, or retreat by the route in the rear of Battenkill. This was his final determination, and dispositions were made accordingly.

Early in the afternoon of the 7th, General Burgoyne drew out fifteen hundred men, for the purpose of making his proposed reconnoissance—which he headed himself, attended by Generals Phillips, Riedesel, and Frazer. They advanced in three columns toward the left wing of the American positions, entered a wheat field, displayed into line, and then began cutting up the wheat for forage. The movement having been seasonably discovered, the centre advanced guard of the Americans beat to arms; the alarm was repeated throughout the line, and the troops repaired to the alarm posts. Colonel Wilkinson being at head-quarters at the moment, was despatched to ascertain the cause of the alarm. He proceeded to within sixty or seventy rods of the enemy, ascertained their position, and returned—informing General Gates that they were foraging—attempting also to reconnoitre the American left, and likewise, in his opinion, offering battle. After a brief consultation, Gates said he would indulge them; and Colonel Morgan, whose rifle corps was formed in front of the centre, was directed “to begin the game.” At his own suggestion, however, Morgan was allowed to gain the enemy’s right by a circuitous course, while Poor’s brigade should attack his left. The movement was admirably executed; the New York and New Hampshire troops attacked the enemy’s

* Stone's *Life of Brant*, Vol. I. pp. 281–283.

front and left wing with great impetuosity ; while, true to his purpose, Morgan, just at the critical moment, poured down like a torrent from the hill, and attacked the enemy's right in front and flank. The attack was soon extended along the whole front of the enemy with great determination. Major Ackland, at the head of the grenadiers, sustained the attack of Poor with great firmness. But on his right, the light infantry, in attempting to change front, being pressed with ardour by Colonel Dearborn, were forced to retire under a close fire, and in great disorder. They were re-formed by the Earl of Balcarras behind a fence in the rear of their first position ; but being again attacked with great audacity in front and flanks by superiour numbers, resistance became vain, and the whole line, commanded by Burgoyne in person, gave way, and made a precipitate and disorderly retreat to his camp. The right of Burgoyne had given way first, the retreat of which was covered by the light infantry and a part of the 24th regiment. The left wing in its retreat would ~~have~~ inevitably have been cut to pieces, but for the intervention of the same troops, performing in its behalf the same service that, a few moments before, they had done for the right. This retreat took place in exactly fifty-two minutes after the first shot was fired—the enemy leaving two twelve and six six-pounders on the field, with the loss of more than four hundred officers and men, killed, wounded, and captured ; and among them the flower of his officers, viz : General Frazer, Major Ackland, Sir Francis Cook, and many others.

The British troops had scarcely entered their lines, when the Americans, led by General Arnold, pressed forward, and, under a tremendous fire of grape-shot and musketry, assaulted their works throughout their whole extent, from right to left. Towards the close of the day, the enemy's intrenchments were forced by the left of the Americans, led by Arnold in person, who, with a few of his men, actually entered the works ; but his horse being killed, and the general himself badly wounded in the leg, they were forced to retire, and the approach of darkness induced them to desist from the attack. Meantime, on the left of Arnold's detachment, the Massachusetts troops, under Colonel Brooks, had been still more successful—having turned the enemy's right, and carried by storm the works occupied by the German reserve. Colonel Breyman, their commander, was killed ; and his corps, reduced to two hundred men, and hotly pressed on all sides, was obliged to give way. This advantage was retained by the Americans ; and darkness put an end to an action equally brilliant and important to the continental arms. Great numbers of the enemy were killed, and two hundred prisoners taken. The loss of the Americans was inconsiderable.*

* Stone's Life of Brant, Vol. I. pp. 271–273.

In the night Burgoyne drew off his army, and placed them in a stronger position on the heights, nearer to the source of the river—thus avoiding an engagement with an enemy who possessed part of his works, and lay ready to renew the attack in the morning.

Of Arnold's behaviour at the battle of the 7th of October, Mr. Sparks* gives this account: "Arnold having no command, was discovered to be in a state of high excitement and apparent irritation. He continued in camp for some time, but at length, without instructions or permission, rode off in a full gallop to the field of battle. This being told to Gates, he sent Major Armstrong after him with orders. As soon as Arnold saw Armstrong, anticipating the purport of his message, and doubtless remembering the peremptory order to return while on his way out to the former action, he put spurs to his horse and quickened his speed. Armstrong pursued, tracing the erratic movements of Arnold, and keeping up the chase for half an hour, without being able to approach near enough to speak to him. And in fact, Arnold received no orders during the day, but rode about the field in every direction, seeking the hottest parts of the action, and issuing his commands wherever he went.

"Being the highest officer in rank, that appeared on the field, his orders were obeyed when practicable; but all accounts agree, that his conduct was rash in the extreme, indicating rather the frenzy of a madman, than the considerate wisdom of an experienced general. He threw himself heedlessly into the most exposed situations, brandishing his sword in the air, animating his troops, and urging them forward. But the brilliant manœuvre with which the engagement was closed, the assault of the enemy's works and driving the Hessians from their encampment, was undoubtedly owing in the first case to Arnold. He gave the order, and by his personal bravery set an example to the troops, which inspired them with ardour and hurried them onward. He was shot through the leg whilst riding gallantly into the sally-port, and his horse fell dead under him. The success of the assault was complete, and crowned the day with victory.

"It is a curious fact, that an officer who really had no command in the army, was the leader in one of the most spirited and important battles of the revolution. His madness, or rashness, or whatever it may be called, resulted most fortunately for himself. The wound he received, at the moment of rushing into the very arms of danger and of death, added fresh lustre to his military glory, and was a new claim to public favour and applause. In the heat of the action he struck an officer on the head with his sword, an indignity and offence, which might justly have been retaliated on the spot in the

* American Biog. Vol. III. pp. 117, 118, 119.

most fatal manner. The officer forbore : and the next day, when he demanded redress, Arnold declared his entire ignorance of the act, and expressed his regret. Some persons ascribed his wild temerity to intoxication, but Major Armstrong, who assisted in removing him from the field, was satisfied that this was not true. Others said he took opium. This is conjecture, unsustained by proofs of any kind, and consequently improbable. His vagaries may perhaps be sufficiently explained by the extraordinary circumstances of wounded pride, anger, and desperation, in which he was placed. Gates was not on the field, nor indeed did he leave his encampment during either of the battles of Behmus's Heights."

The bone of Arnold's leg being fractured he was removed to Albany, where he remained confined to his room all winter. His suffering situation was somewhat mitigated by a resolution of congress, which was a salve to his wounded honour. They gave him the rank which was fully his due, and General Washington accompanied the information with a request that he would repair to the army as soon as his honourable wounds would permit, that his country might have his services in the ensuing campaign. In the spring he went to New Haven, and was received with marked respect for his military character, and while there General Washington showed his sense of his eminent qualifications for the tented and embattled field, by dividing with him and General Lincoln three sets of military ornaments, which had been presented by a person in France, to the first of American captains, and the two chieftains he should consider worthy to share the compliment with him. This was a testimony which the conduct of Arnold in scenes of blood deserved : when next he becomes conspicuous in the history of New York, we shall see how little he deserved to be ranked with Lincoln and Washington as the assertor of his country's rights and the promoter of her happiness.

We now return to the the closing scenes of the great drama of Saratoga. After the decisive victory obtained by the American army on the 7th of October, all were now animated by success. Next day, General Gates threw large detachments higher up the river to oppose the retreat of the enemy ; but did not venture to attack him in his new position. Burgoyne, however, was obliged to abandon the strong post he had chosen. On the night of the 10th of October, he retreated to Saratoga with the loss of his hospital, and part of his baggage and provision. He gained a position on the bank of the Hudson, but found his antagonists already on the opposite side prepared to dispute his passage. The British army was now surrounded by a constantly increasing, and already numerically superiour force, flushed with victory, and anticipating complete conquest. All these advantages were nearly lost. On the morning of the 11th, Gates informed his general officers of his

having received certain intelligence that the main body of the British army had been marched off for Fort Edward ; and that only the rear guard was now in the camp, who were to follow, leaving the heavy baggage behind. In consequence, orders were issued to attack the camp forthwith ; and the officers repaired to their posts accordingly. The oldest brigade crossed the Saratoga creek, and a second brigade was following, when, by the accidental encounter of an English deserter, General Glover learned that the whole army were in the encampment, and he found that the American troops were marching directly upon Burgoyne's park of artillery, masked by a line of brushwood. The advancing troops were halted ; Gates countermanded his orders, and the brave men so nearly sacrificed, retreated ; but not without loss from the fire opened upon them by the enemy's batteries. It was on this occasion that the British burnt Schuyler's house, mills, and other buildings, as they sheltered the Americans from the artillery. Burgoyne's situation was now nearly desperate. His Indians and Canadians had deserted him. He had no hopes of aid from Sir Henry Clinton. His gallant army was reduced from nearly eight thousand, to three thousand five hundred fighting men. He was surrounded by enemies increasing daily, and already four times his number. Of provisions he had not more than enough for three days. Thus circumstanced, he resolved to abandon every thing but the arms of his companions, and such food as they could carry on their backs, and to force a march up the river by night, cross, and push for Fort George. But even this was found impracticable. Every avenue of escape was guarded. He was obliged to open a treaty with Gates, which terminated in surrender, by a convention.

Had Schuyler retained the command of the army as much would have been gained, if not more. He would have had the same Morgan and Arnold to assist him. The militia were already encouraged by the success of Starke, Willet, and Gansevoort ; and the jealousy of the New England men would not have prevented them from defending their firesides, or sharing in the triumphs, a prospect of which was fully open to them before Philip Schuyler was superseded by a man immeasurably his inferiour. But a British army surrendered to Horatio Gates, and the whole continent rang with shouts and songs of praise to the conqueror of Burgoyne. Schuyler was forgotten, or vilified ; and in comparison with the triumphant Englishman, Washington was considered unworthy of confidence. Such was popular delusion, heightened by the artful and selfish.

Mr. Stone* says, "flushed with his fortuitous success, or rather

* Stone's life of Brant, Vol. I, p. 278.

with the success attending his fortuitous position, Gates did not wear his honour with any remarkable meekness. On the contrary, his bearing even toward the commander-in-chief was far from respectful. He did not even write to Washington on the occasion, until after a considerable time had elapsed. In the first instance Wilkinson was sent as the bearer of despatches to congress, but did not reach the seat of that body until fifteen days after the articles of capitulation had been signed ; and three days more were occupied in arranging his papers before they were presented. The first mention which Washington makes of the defeat of Burgoyne, is contained in a letter written to his brother on the 18th of October—the news having been communicated to him by Governour Clinton. He spoke of the event again on the 16th, in a letter addressed to General Putnam. On the 25th, in a letter addressed to that officer, he acknowledges the receipt of a copy of the articles of capitulation *from him*—adding, that that was the first authentick intelligence he had received of the affair, and that he had begun to grow uneasy, and almost to suspect that the previous accounts were premature. And it was not until the 2d of November that Gates deigned to communicate to the commander-in-chief a word upon the subject, and then only incidentally, as though it were a matter of secondary importance.”

Although Schuyler had no command, he had never ceased his services, and was with the American army. Gen. Burgoyne gives this testimonial of Schuyler's gentlemanly deportment : “I positively assert that there was no fire by order or countenance of myself or any other officer, except at Saratoga. That district is the property of General Schuyler. There were large barracks built by him : they took fire by accident, when filled with my sick and wounded soldiers. General Schuyler had likewise a very good dwelling-house, exceeding large storehouses, great saw-mills, and other out-buildings, to the value, perhaps, of ten thousand pounds. A few days before the negotiation with General Gates, the enemy were approaching to pass a small river preparatory to a general action, and were covered from the fire of my artillery by those buildings. I gave the order to set them on fire : that whole property I have described was consumed. One of the first persons I saw after the convention was signed, was General Schuyler. I expressed my regret at the event which had happened, and the reasons which had occasioned it. He desired me to think no more of it ; said that the occasion justified it, according to the rules and principles of war, and he should have done the same. He did more—he sent an aid-de-camp to conduct me to Albany, in order, as he expressed, to procure me better quarters than a stranger might be able to find. This gentleman conducted me to a very elegant house, and, to my great surprise, introduced me to Mrs. Schuyler and her

family ; and in this general's house I remained during my whole stay at Albany, with a table of more than twenty covers for me and my friends, and every other demonstration of hospitality."

The Baroness Riedesel says, "when I drew near the tent, a good-looking man advanced towards me, and helped the children from the calash, and kissed and caressed them ; he then offered me his arm, and tears trembled in his eyes. 'You tremble,' said he ; 'do not be alarmed, I pray you.' 'Sir,' cried I, 'a countenance so expressive of benevolence, and the kindness which you have evinced towards my children, are sufficient to dispel all apprehension.' He then ushered me into the tent of General Gates. The gentleman who had received me with so much kindness, came and said to me, 'You may find it embarrassing to be the only lady in such a large company of gentlemen ; will you come with your children to my tent, and partake of a frugal dinner offered with the best will ?' 'By the kindness you show to me,' returned I, 'you induce me to believe that you have a wife and children.' He informed me that he was General Schuyler. Never did a dinner give me so much pleasure as this."

Burgoyne did not receive intelligence of the success of Sir Henry Clinton at the forts in the Highlands until after his surrender. This may be attributed to the failure of a message despatched by the English commander-in-chief, who fell into the hands of the American Clinton, by one of those apparent accidents that rule the fate of men and armies. The messenger bore a letter enclosed in a silver ball, with only the words "*nous y voici* : and nothing between us but Gates." The unfortunate bearer had to pass the American posts in disguise, and would probably have done so in safety, but that a New England regiment under Colonel Webb had joined Governour Clinton, who was at New Windsor collecting troops, and the soldiers were clothed in red coats, which had been taken in an English store ship : some of them were on guard at an out-post, and the spy mistaking them for friends, put himself in their power and betrayed his quality. He swallowed the silver ball, but too late : an emetic revealed his errand, and the poor wretch was sacrificed to the policy (perhaps the justice) of war. To this circumstance was owing the ignorance of Burgoyne, that the southern British army was on its way to his relief. Had this messenger reached him, he might not have risked the fatal encounter on Behmus's Heights ; but it is vain to indulge in surmises of what might have been—the duty of history is to record that which we know *has been*.

Wilkinson, as we have seen, was entrusted with the despatches of Gates to congress, announcing an army's surrender, and loitering by the way, a member proposed as his reward for his *news* a pair of gold spurs.

This year (1777) cannot be passed over without noticing the formation of a written Constitution for what was *now* declared to be the STATE of New York. The convention held at Kingston, declared that no authority should on any pretence whatever, be exercised over the people or members of this state, but such as should be derived from or granted by them; and it vested the supreme legislative power, in two distinct bodies constituting collectively the legislature. It is dated at Kingston, 20th April, 1777, and signed *Leonard Gansevoort, Pres. pro. tem.* Among the members of this convention we find some of the most illustrious names in our state history—John Jay, Gouverneur Morris and others. Of the patriotism, intelligence and integrity of those who formed the old constitution there can be no question—nor is there a question but that it contained its faults and imperfections. But those might have been gradually healed by some few gentle applications, or what were better, the slow but steady and salutary influence of time and usage. This venerable monument of the wisdom of our high minded ancestors has been stricken to the dust. Not content with mildly lopping off some few excrescences, or some limbs which drew away too much of the nutriment from the other branches, we, mad and reckless have destroyed the whole tree; and by the Constitution of November 10, 1821, substituted a new system, which has yet to run its career of experiment—perhaps of mischief: which reduces the *people* to a *populace*, and concedes to the populace the right of legislating upon the most momentous subjects—the power of making, altering or abrogating the fundamental laws—the constitution itself—almost without restraint.*

* See New Const. of N. Y. Art. 2, Sect. I. The value of the electoral franchise has been still further lowered. And see Art. 8, as to amendments. Numbers of those who voted for the convention which formed the new Constitution thought of nothing more than to get rid of the councils of appointment and revision. One bad feature of the old constitution is retained, the inability of the highest judicial officers to continue in the exercise of their duties after sixty years of age; (James Kent! Ambrose Spencer! Smith Thompson! I will not travel beyond the limits of our own state.) They may be removed by joint resolution of the two houses of the legislature, if two thirds of the members elect of the Assembly, and a majority of the members elect of the Senate concur.—Art. I, Sect. 13. Was not this last provision enough for all beneficial purposes?

CHAPTER IX.

Intrigues against Washington—France becomes a party in the war—Alarming situation of Washington—Noble conduct of Colonel William Duer—Conway—Lafayette—Falsehood and meanness of Gates.

1777 ON the 17th of October, Burgoyne surrendered. Gates imitated, on the meeting with his humbled adversary, the conduct of the Black Prince, when from real or affected humility he entered London with the captive King of France.

How he deigned to communicate the news of his success to the commander-in-chief, has already been stated; yet he was carrying on a correspondence with his Irish friend, Conway, in which Washington was treated with contempt.

This slight put upon Washington was premeditated, as is proved by a letter from Wilkinson to Gates, of November the 4th, saying that he is often asked the cause of this omission. It is further related, respecting Morgan, that when the conquerour entertained the British officers who were prisoners, and invited his own to meet them, Morgan was omitted; but accidentally coming into the general's quarters on business, when he departed, his name was mentioned, and all the Britons eagerly rose and followed to see the man to whom they attributed, in a great measure, their defeat.

The flatteries that poured in upon him were such as his mind could not bear. His cabal openly declared that he alone was fit for the supreme command. As a step towards it, on the 27th of November, he was appointed president of the board of war, and his friend Mifflin was one of his council. The board appointed Conway inspector-general, with the rank of major-general, and powers, "in effect," says Marshall, "paramount to those of the commander-in-chief." A majority of congress confirmed this appointment, although this man had been recently detected in an infamous correspondence with Gates, and was denounced by Washington as a "dangerous incendiary." Happily, General Greene and a number of field-officers would not submit to the indignity of seeing this upstart foreign officer placed in such an office in defiance of the commander-in-chief. They remonstrated; Conway was obliged to retire; and the cabal was defeated in this part of their intrigue. Of General Gates as president of the board of war, I will only ob-

serve, that none of his plans were successful, or any of his measures efficacious.

I must limit myself to events in our state, or those immediately adjoining, and refer to Marshall's history, to Washington's letters, and other works, for the movements more to the south. Great was the necessity in which the commander-in-chief stood for reinforcements, and urgent his call for the troops which the convention of Saratoga left available. But Gates seemed disposed to withhold them as much as possible. Intoxicated by the applauses of congress and the country, he felt that the supreme command of the armies of the continent was within his grasp.

The hints and insinuations of Lee, the calumnies of Gates and his adherents, had produced a party in congress that amounted to a majority. The Irish officer who had been in the French service, Conway, soon became one of Gates's faction, and violently opposed to Washington and his friends, particularly to the Baron de Kalb and the Marquis Lafayette. This Conway, became disagreeable to Washington, first by presumption, and then in consequence of a disclosure made of a paragraph in a letter from him to Gates, in which he says, "*Heaven has been determined to save your country, or a weak general and bad counsellors would have ruined it.*"

France had secretly encouraged the discontent, and joyfully seen the rebellion of the subjects of her great rival. Now that an army had surrendered, the mask was thrown off, and war was proclaimed, and an army was promised the United States. The motive was not considered, and gratitude filled every American breast.

General Washington attributed the successes of Sir William Howe in Pennsylvania, and his own consequent disasters, to the apathy and disaffection of the people of that state. In one of his letters on the subject, he says—"The northern army, before the surrender of General Burgoyne, was reinforced by upwards of twelve hundred militia, who shut the only door by which Burgoyne could retreat, and cut off all his supplies. How different our case! The disaffection of a great part of the inhabitants of this state, the languor of others, and the internal distraction of the whole, have been among the great and insuperable difficulties which I have met with, and have contributed not a little to my embarrassments this campaign."*

Many other letters from the commander-in-chief, written during the winter and spring of 1778, complain of the conduct of the people of Pennsylvania, in supplying the enemy in Philadelphia with provisions—particularly from Bucks County.

* Letter of Washington to Landon Carter—October 27th, 1777.

In a letter to Major-general Armstrong, of that state, dated at Valley Forge, March 27th, he says—"The situation of matters in this state is melancholy and alarming. We have daily proof that a majority of the people in this quarter are only restrained from supplying the enemy with horses and every kind of necessary, through fear of punishment; and, although I have made a number of severe examples, I cannot put a stop to the intercourse."

The legislature met at Kingston, on the 1st of September, 1777, but did not form a quorum until the 10th; when Govenour Clinton, in his speech, applauded the garrison of Fort Schuyler, spoke of the brave General Herkimer, and praised the militia of Tryon county. He mentions in terms of exultation the complete victory near Bennington, gained by the militia of New Hampshire, Massachusetts and the northeastern counties of New York. At this time the legislature appointed delegates to the continental congress. They were, Philip Livingston, James Duane, Francis Lewis, William Duer, and Gouverneur Morris. The assembly was interrupted in its work of peace by the attack upon the Highlands, and was dissolved October 7th; but on the 5th of January, 1778, they met again at Poughkeepsie.

The commander-in-chief passed the winters of 1777 and '8, in the cantonment of Schuylkill, his best troops mutinous from want of necessaries, he says, *the want of provision, clothing, and other essentials, is charged to my account, not only by the vulgar, but by those in power.*

The board of war consisted of General Gates, president; General Mifflin, quarter-master-general; Joseph Trumbull, commissary-general; and Pickering, Folsom, etc.

Gates, Mifflin, and Trumbull, were all absent from Little York where congress sat, the enemy being at Philadelphia.

The confederacy of sovereign states had before 1777, been in many instances, found wanting. In July, 1778, the confederacy was signed, but October the 14th, 1777, congress resolved, that no state should be represented by more than seven members nor less than two. New York had but two members present, barely sufficient to give her a vote; one of those was lying sick; this was a situation which rendered her a nullity, and a day was appointed by the cabal, to nominate a committee to arrest Washington at the Valley Forge, they having a majority owing to the absence of New York.

Francis Lewis, the only member from New York capable of taking his place, sent to the absentee. Colonel William Duer sent for his physician, Doctor Jones, and demanded whether he could be removed to the court house, (or place of meeting.) "Yes, but at the risk of your life." "Do you mean that I should expire before reaching the place?" "No; but I would not answer for your

life, twenty-four hours afterward." "Very well, sir; you have done your duty, prepare a litter for me—if you refuse—some one else shall—but I prefer your care in this case."

The litter was prepared, and the sick man ready to sacrifice his life for his country, when the faction, baffled by the arrival of Gouverneur Morris, and by the certainty of New York being against them, gave up the attempt, and the hazardous experiment on the part of Colonel Duer, was rendered unnecessary.

General Gates and suite, of whom Colonel Lewis was one, were detained at the Susquehanna three days, during which Gouverneur Morris joined them. On their arrival at Little York, Colonel Lewis and Gouverneur Morris, immediately repaired to the quarters of the New York delegation; and found Colonel Duer on the litter surrounded by blankets, attended by his physician and carriers, ready to go to the court-house where congress met.

After the surrender of an army, few of the military events which passed in New York seem worthy of history. Until 1778, the persecutions of the commander-in-chief continued.

The expressions of Conway were repeated to Washington, and (as Mifflin informed Gates by letter) were enclosed by the general to Conway without remarks, who, says Mifflin, supported the opinion he had given, "the sentiment was not apologized for." Gates, on receiving this information from Mifflin, wrote to Conway, entreating to know which of the letters was copied off, and to Mifflin, expressing his uneasiness and anxiety to discover the villain who had "played him this treacherous trick." He likewise immediately wrote a letter to General Washington, conjuring him to assist, as he says, in "tracing out the author of the infidelity which put extracts from General Conway's letters to me into your hands." He says, the letters have been "stealingly copied." This, instead of being sent direct to the general, was enclosed to congress. Upon hearing of this discovery, Lafayette wrote to Washington, informing him of Conway's endeavours by flattery to gain his confidence, and to make a breach between him and the general, so as to induce Lafayette to leave the country.

There are documents extant in which, at this very time, he expresses his enmity to Lafayette. But a just estimate of this attempt upon General Washington can only be formed by reading all the letters published by Mr. Sparks. I will only say further, that as Gates had enclosed his letter to the commander-in-chief in one to congress, *he* sent his answer in the same manner. Washington tells Gates that he had viewed Conway as a stranger to him, and had no thought that they were correspondents, "much less did I suspect that I was the subject of your confidential letters." He says, that on receiving this extract, he considered it as a friendly warning from Gates to forearm him "against a secret enemy, or in

other words, a dangerous incendiary ; in which character, sooner or later, this country will know General Conway : but in this, as in other matters of late, I have found myself mistaken." Gates then endeavoured to persuade the general that the extract was a forgery. The answer of Washington exposed the falsehood of the assertion, and showed the contradiction in which this weak man's own statements had involved him. Gates replied by a mean apology on the 19th of February, 1778, filled with such falsehoods as these : "As to the gentleman," Conway, "I have no personal connexion with him, nor had I any correspondence previous to his writing the letter which has given offence. I solemnly declare I am of no faction." He disavows any intention of giving offence to his "Excellency," and concludes humbly "with great respect." I make use of the word falsehood, because in the papers left by Gates, and now in a publick library, are the proofs that these assertions are void of truth. Washington answered this apology very coldly, thus : "Your repeatedly and solemnly disclaiming any offensive views, in those matters which have been the subject of our past correspondence, makes me willing to close with the desire you express, of burying them hereafter in silence, and, as far as future events will permit, oblivion. I am, sir your most obedient servant."

In the meantime General Washington received information, from various quarters, of the efforts made to overthrow him, and a most positive indication of their success, by the appointment, as we have seen, of this Conway, notwithstanding the known opinions of Washington and Lafayette, to the office of inspector-general and the rank of major-general, to the excessive disgust of the American brigadiers. The whole of this infamous proceeding on the part of the faction in congress, of Gates, Conway and others, can only be appreciated by reading all the documents published, and some yet unpublished, in the library of the Historical Society.

When Sir William Howe was recalled from the command in America, the British officers and Philadelphia ladies, gave him a great fete, and Sir Henry Clinton took the command of the troops. He evacuated the city, and embarked his army at Monmouth for New York, but not before Charles Lee had so behaved at the battle of Monmouth, as to relieve Washington from one of his greatest open enemies.

The British fleet and army arrived in the harbour of New York in time to escape an action with the French fleet, who finding they were too late, sailed to the north. The commander-in-chief, and the main army were so disposed, as to prevent Sir Henry from making any attempt on the Hudson.

CHAPTER X.

Prisoners and Prison Ships.

1776 THE prisoners taken on Long Island and at Fort Washington, were at first shut up in the College, and in the
1780 “new, or middle Dutch church, in Nassau and Cedar streets.” An old gentleman living in 1837, who was one of Captain Vandyke’s grenadiers, and made prisoner on the 27th of August, says, he saw the “great fire” from the College windows. Another gentleman, Mr. John Pintard, who is still with us, and who as a young man was an assistant to his uncle, Mr. Lewis Pintard, appointed by congress to supply necessary clothing for the American prisoners during a part of the war, gives us some particulars which are very valuable, as he was in New York, and had an opportunity for acquiring knowledge respecting his suffering countrymen. He tells us, in a published document, that in the church above mentioned, “the sick, the wounded, and well, were all indiscriminately huddled together by hundreds and thousands—large numbers of whom died by disease—and many undoubtedly poisoned by inhuman attendants, for the sake of their watches or silver buckles.”

We must remember that he speaks of the time immediately following the battle of Brooklyn: the recent occupancy of the city by the victors, the conflagration of a great portion of it, and the capture of the brave men at Fort Washington—all tending to create disorder in every department of the then conquering army. The writer proceeds to mention circumstances witnessed and remembered by myself. He says, “This church (the middle Dutch) was afterward converted into a riding school for training dragoons. The extensive sugar-house in Liberty street, and the north Dutch church, were also used as prisons. The new Quaker meeting-house, formerly in Pearl street, was appropriated as a hospital. The seamen were confined on board the prison-ships, where they suffered every hardship to compel them to enter into the British service, and were consigned to disease and death by hundreds. The provost was destined for the more notorious rebels, civil, naval, and military. An admission into this modern bastille was enough to appal the stoutest heart. On the right hand of the main door

was Captain Cunningham's quarters, opposite to which was the guard-room. Within the first barricade was Sergeant Keefe's apartment. At the entrance-door two sentinels were always posted by day and night; two more at the first and second barricades, which were grated, barred, and chained; also at the rear door, and on the platform at the grated door at the foot of the second flight of steps, leading to the rooms and cells in the second and third stories. When a prisoner, escorted by soldiers, was led into the hall, the whole guard was paraded, and he was delivered over, with all formality, to Captain Cunningham or his deputy, and questioned as to his name, rank, size, age, etc., all of which were entered in a record book. What with the bristling of arms, unbolting of bars and locks, clanking of enormous iron chains, and a vestibule as dark as Erebus, the unfortunate captive might well sink under this infernal sight and parade of tyrannical power, as he crossed the threshold of that door which probably closed on him for life. But it is not our wish to revive the horrors attendant on our revolutionary war; grateful to Divine Providence for its propitious issue, we would only remark to the existing and rising generation, that the independence of the United States, and the civil and religious liberty they now enjoy, were achieved and purchased by the blood and sufferings of their patriotic forefathers. May they guard and transmit the boon to their latest posterity.

"The northeast chamber, turning to the left, on the second floor, was appropriated to officers, and characters of superiour rank and distinction, and was called Congress Hall. So closely were they packed, that when they lay down at night to rest, when their bones ached on the hard oak planks, and they wished to turn, it was altogether by word of command, "*right—left*," being so wedged and compact as to form almost a solid mass of human bodies. In the day time the packs and blankets of the prisoners were suspended around the walls, every precaution being used to keep the rooms ventillated, and the walls and floors clean, to prevent jail fever; and, as the provost was generally crowded with American prisoners, or British culprits of every description, it is really wonderful that infection never broke out within its walls.

"In this gloomy terrifick abode, were incarcerated at different periods, many American officers and citizens of distinction, awaiting with sickening hope and tantalizing expectation the protracted period of their exchange and liberation. Could these dumb walls speak, what scenes of anguish, what tales of agonizing woe, might they disclose!

"Among other characters, there were, at the same time, the famous Colonel Ethan Allen, and Judge Fell, of Bergen county, New Jersey. When Captain Cunningham entertained the young British officers, accustomed to command the provost guard, by dint

of curtailing the prisoner's rations, exchanging good for bad provisions, and other embezzlements practised on John Bull, the captain, his deputy, and indeed the commissaries generally, were enabled to fare sumptuously. In the drunken orgies that usually terminated his dinners, the captain would order the rebel prisoners to turn out and parade, for the amusement of his guests—pointing them out—"this is the damned rebel, Colonel Ethan Allen—that a rebel judge, an Englishman," etc. etc.

The writer well remembers the Rev. Thomas Andros, a presbyterian clergyman, who, when a youth, shipped himself as a privatersman from New London. He was taken, and confined in this sepulchre, where the living, the dying, and the dead, formed one mass, of which the latter description was the most enviable. I am far from charging upon the deputy commissaries the misery which my countrymen suffered in the prison ships; but I must think that there was culpable neglect or designed cruelty on the part of the commander-in-chief of the British army, or a criminal thirst for riches on the part of Sprout. Mr. Andros says:

"We were captured on the 27th August, by the Solebay frigate, and safely stowed away in the old Jersey prison ship, at New York. This was an old sixty-four gun ship, which through age had become unfit for further actual service. She was stripped of every spar and all her rigging. After a battle with the French fleet, her lion figure-head was taken away to repair another ship; no appearance of ornament was left, and nothing remained but an old, unsightly, rotten hulk. Her dark and filthy external appearance perfectly corresponded with the death and despair that reigned within; and nothing could be more foreign from truth than to paint her with colours flying, or any circumstance or appendage to please the eye. She was moored about three quarters of a mile to the eastward of Brooklyn Ferry, near a tide-mill, on the Long Island shore. The nearest distance to land, was about twenty rods. And doubtless no other ship in the British navy ever proved the means of the destruction of so many human beings. It is computed that not less than eleven thousand American seamen perished in her. But after it was known that it was next to certain death to confine a prisoner here, the inhumanity and wickedness of doing it, was about the same, as if he had been taken into the city and deliberately shot on some publick square. But as if mercy had fled from the earth, here we were doomed to dwell. And never while I was on board did any Howard or angel of pity appear to inquire into or alleviate our woes. Once or twice, by the order of a stranger on the quarter-deck, a bag of apples was hurled promiscuously into the midst of hundreds of prisoners crowded together as thick as they could stand, and life and limbs were endangered by the scramble. This, instead of compassion, was a cruel sport. When

I saw it about to commence, I fled to the most distant part of the ship.

“On the commencement of the first evening, we were driven down to darkness between decks, secured by iron gratings and an armed soldiery. And now a scene of horror, which baffles all description, presented itself. On every side, wretched, desponding shapes of men, could be seen. Around the well-room an armed guard were forcing up the prisoners to the winches, to clear the ship of water, and prevent her sinking; and little else could be heard but a roar of mutual execrations, reproaches, and insults. During this operation, there was a small dim light admitted below, but it served to make darkness more visible, and horror more terrific. In my reflections I said, this must be a complete image and anticipation of hell.

“When I first became an inmate of this abode of suffering, despair, and death, there were about four hundred prisoners on board, but in a short time they amounted to twelve hundred. And in proportion to our numbers, the mortality increased.

“All the most deadly diseases were pressed into the service of the king of terrors, but his prime-ministers were dysentery, small-pox, and yellow fever. There were two hospital ships near to the old Jersey, but these were soon so crowded with the sick, that they could receive no more. The consequence was, that the diseased and the healthy were mingled together in the main ship. In a short time we had two hundred or more sick and dying, lodged in the fore part of the lower gun-deck, where all the prisoners were confined at night. Utter derangement was a common symptom of yellow fever, and to increase the horror of the darkness that shrouded us, (for we were allowed no light betwixt decks,) the voice of warning would be heard—‘Take heed to yourselves; there is a mad man stalking through the ship with a knife in his hand.’ I sometimes found the man a corpse in the morning by whose side I laid myself down at night. At another time he would become deranged, and attempt in darkness to rise and stumble over the bodies that every where covered the deck. In this case I had to hold him in his place by main strength. In spite of my efforts he would sometimes rise, and then I had to close with him, trip up his heels, and lay him again upon the deck. While so many were sick with raging fever, there was a loud cry for water, but none could be had except on the upper deck, and but one allowed to ascend at a time. The suffering then from the rage of thirst during the night was very great. Nor was it at all times safe to attempt to go up. Provoked by the continual cry for leave to ascend, when there was already one on deck, the sentry would push them back with his bayonet. By one of these thrusts, which was more spiteful and violent than common, I had a narrow escape of my life. In the morning the

hatchways were thrown open, and we were allowed to ascend, all at once, and remain on the upper deck during the day. But the first object that met our view in the morning was a most appalling spectacle. A boat loaded with dead bodies, conveying them to the Long Island shore, where they were very slightly covered with sand. I sometimes used to stand to count the number of times the shovel was filled with sand to cover a dead body; and certain I am, that a few high tides or torrents of rain must have disinterred them. And had they not been removed, I should suppose the shore, even now, would be covered with huge piles of the bones of American seamen. There were, probably, four hundred on board who had never had the small-pox—some, perhaps, might have been saved by inoculation.

“But humanity was wanting to try even this experiment. Let our disease be what it would, we were abandoned to our fate. Now and then an American physician was brought in as a captive, but if he could obtain his parole he left the ship, nor could we much blame him for this; for his own death was next to certain, and his success in saving others by medicine, in our situation, was small. I remember only two American physicians who tarried on board a few days. No English physician, or any one from the city, ever, to my knowledge, came near us. There were thirteen of the crew to which I belonged, but in a short time all but three or four were dead. The most healthy and vigorous were first seized with the fever, and died in a few hours. For them there seemed to be no mercy. My constitution was less muscular and plethorick, and I escaped the fever longer than any of the thirteen except one, and the first onset was less violent.

“There is one palliating circumstance as to the inhumanity of the British, which ought to be mentioned. The prisoners were furnished with buckets and brushes to cleanse the ship, and with vinegar to sprinkle her inside. But their indolence and despair were such that they would not use them, or but rarely. And, indeed, at this time, the encouragement to do it was small—for the whole ship, from her keel to the taffrail, was equally infected, and contained pestilence sufficient to desolate a world. Disease and death were wrought into her very timbers. At the time I left, it is to be presumed, a more filthy, contagious, and deadly abode for human beings, never existed among a christianized people. It fell but little short of the Black Hole at Calcutta. Death was more lingering, but almost equally certain.

“If there was any principle among the prisoners that could not be shaken, it was the love of their country. I knew no one to be seduced into the British service. They attempted to force one of our prize brig’s crew into the navy, but he chose rather to die than perform any duty, and he was again restored to the prison-ship.”

In addition to the testimony of Mr. Andros, I have that of an aged gentleman still residing with us, who confirms the statement made in the book. He says, he was an officer on board of the United States frigate *Confederacy*, and was captured by two English frigates. Being at the time of capture sick, he was put on board one of the hulks in the Wallabout, that served as a hospital ship for convalescents, but was as soon as somewhat restored, transferred to the "Old Jersey," to make room for others more helpless. Here he experienced all the sufferings, and witnessed the horrors described by Andros, for five months. The confinement in so crowded a place, the pestilential air, the putrid and damaged food given to the prisoners, (procured by the commissaries for little or nothing, and charged to the English government at the prices of the best provisions,) soon produced a fever, under which this young man suffered without medicine or attendance, until nature, too strong for even such enemies, restored him to a species of health, again to be prostrated by the same causes. He says, he never saw given to the prisoners one ounce of wholesome food. The loathsome beef they prepared by pressing, and then threw it, with damaged bread, into the kettle, skimming off the previous tenants of this poisonous food as they rose to the top of the vessel.

And these commissaries became rich, and revelled in luxuries, hearing the groans of their victims daily, and seeing the bodies of those who were relieved from torture by death, carried by boat loads to be half buried in the sands of the Wallabout. The testimony proving these atrocities, cannot be doubted. Yet, in answer to the remonstrances of General Washington, Admiral Arbuthnot denied the charge altogether.

To save his life, the officer referred to consented to become deputy to the purser, and was then removed from the darkness, filth, stench, and horrible sounds, which assailed him in the dungeons of this floating hell. In the office of deputy-purser he fared well, and recovered health. He witnessed a mode of cheating practised by the clerks and underlings, less criminal than that of the commissaries of prisoners. Such of the captives as had money were liberated by bargain with these officials, and returned on the report as dead; and the deaths were so many, that this passed without inquiry.

Many of the prisoners had saved their money by sewing it in pieces of canvass, and fastening them in the inner parts of their trowsers. A boat would be brought to the ship at night, and by a system of collusion, the person who had bought his liberty would be removed on some specious pretence. Faith was kept with them to encourage others in the same process.

The writer went to school in Little Queen street, now Cedar street, and my seat at the desk, in an upper room of a large store-house kind of building, placed me in full view of the Sugar-house,

corner of Crown, now Liberty street, and Nassau street. The reader may have noticed the tall pile of building with little port-hole windows tier above tier. In that place, crowds of American prisoners were incarcerated, pined, sickened, and died. During the suffocating heat of summer, when my school-room windows were all open, and I could not catch a cooling breeze, I saw opposite to me every narrow aperture of those stone walls filled with human heads, face above face, seeking a portion of the external air. What must have been the atmosphere within? Andros's description of the prison ship tells us. Child as I was, this spectacle sunk deep in my heart. I can see the picture now.

In Rivington's Gazette, may be seen several controversial letters between the commissaries of prisoners, Sprout and Skinner, respecting the treatment of prisoners.

CHAPTER XI.

*City of New York from 1776 to 1780—Battle of Monmouth—
Indian Hostilities on the Mohawk—Massacre at Cherry Valley.*

THE Walton House in the city of New York, is now No. 326 Pearl street. This family mansion was, in its time, a thing to wonder and gaze at. It was erected in 1754 by William Walton, a prosperous English merchant, who resided in Hanover Square, (now part of Pearl street,) and this splendid dwelling was built *out of town*. It was bequeathed by the founder, who died a bachelor, to his nephew William, who was one of the king's or governour's council before the revolution; and it still remains family property. Built of bricks imported from Holland, and ornamented by brown stone water-tables, lintels, and jambs, it stands a monument of ancient English architecture. The staircase in the ample hall, the carved work in various parts without and within, (I presume all imported,) give it an air of aristocratick grandeur which our modern palaces are deficient in. During the war of the revolution, the commanders of the British army and navy occupied the Kennedy House, now a part of No. 1 Broadway, the Beekman House in Hanover Square, the Verplank House in Wall street, and others; but the Walton House was the residence of its hospitable owner.

In Gaine's Gazette of December, 1776, the repetition of the word *rebel*, in every paragraph, becomes ludicrous. Of Washington's force he says, "such a miserable set of ragged creatures were never scraped together before, as those who form the rebel army in Pennsylvania." Rivington had advertised, "price one shilling, The Battle of Brooklyn, a farce in two acts, as it was performed on Long Island, on Tuesday, the 27th of August, 1776, by the representatives of the Tyrants of AMERICA, assembled at Philadelphia."

The rebel army was supposed to be annihilated. Their great General Lee, was safe in the old City Hall, in Wall street, with sentinels in his apartment, and before its door. He was confined in one of those dungeon-like places which had been crowded with the victims of the negro plot. The English army was cantoned on the banks of the Delaware, ready to cross when the ice made a bridge. General Washington had secured the boats, and had

feeble detachments, under the command of Lord Stirling, stationed at the passes down the river, towards Philadelphia. The troops, now fortunately commanded by Sullivan instead of Lee, joined the commander-in-chief; but most of them were unfit for action. Those under Gates, likewise arrived; but their term of service had expired, (owing to the short enlistments, so fatally adopted by their general,) and only by the great exertions of Washington, were a part of them persuaded to re-enlist for six weeks. Gates pleaded sickness, and left head-quarters to *recruit* for himself in Philadelphia. With this shadow of an army, the commander-in-chief meditated the blow that was to save Philadelphia, and perhaps the continent. He had, however, with him, "good men and true," Greene, Knox, Sullivan, Stirling, Cadwalader, and other native Americans, to whom we must add the good old Scotch physician, General Mercer.

Sir William-Howe affected to treat Lee as a deserter, and threatened to try him as such; but Washington, having in his power the field-officers taken at Trenton, and others, let Howe understand that as Lee was treated *they* must be treated, and offered to exchange a certain number of them for him. In the meantime, as the garrison of New York had been weakened by the troops thrown into New Jersey, Washington ordered General Heath, with such militia as could be commanded, to make a movement on to the British line at Kingsbridge. Heath invested Fort Independence, summoned the garrison to surrender, and then, (perhaps very prudently, considering the kind of force he had,) as they refused, marched away again.

1778 On the 28th of June, 1778, occurred the memorable battle of Monmouth, which, although occurring in New Jersey, is too intimately connected with the history of New York, to be passed over in silence. For the following account, I am indebted to Mr. Stone.*

"No sooner had Great Britain been apprized of the alliance between France and her revolted colonies, than it was determined to evacuate Philadelphia, and concentrate the royal army at New York. Accordingly, on the 18th of June, the British troops crossed the Delaware into New Jersey, and commenced their march for New York, ascending the east bank of the river to Allentown, and thence taking the lower road leading through Monmouth to Sandy Hook. General Washington, anticipating this movement, had previously detached a division of the army under General Maxwell, to impede the enemy's march. It was known that General Gates was approaching with the army from the north, and the enemy's

* Life of Brant, Vol. I. pp. 343 to 346.

motions were no sooner ascertained, than General Wayne was despatched, with one thousand chosen men, to strengthen the lines. The Marquis de Lafayette was directed to take command of the whole force thus sent in advance, while Washington himself moved rapidly forward with the main army. It was his design to bring on a general, and, if possible, decisive engagement. The result of his movements for that object was the battle of Monmouth, fought on the 28th of June. The dispositions for this engagement were admirably arranged on the night of the 27th, the position of the enemy being such as to afford the best advantages for an attack upon his rear the moment he should get in motion. Such being the intentions of the commander-in-chief, they were communicated to General Lee, who was ordered to make his dispositions accordingly, and to keep his troops lying upon their arms to be in readiness at the shortest notice. At five in the morning of the 28th, the front of the enemy was observed to be in motion, and orders were instantly despatched to General Lee to move on and attack, "unless there should be very powerful reasons to the contrary." Lee was also advised that Washington was himself advancing to support him. After marching about five miles, 'to the great surprise and mortification' of the commander-in-chief, he met the whole advanced corps retreating, by the orders of Lee, 'without having made any opposition, except one fire given by a party under Colonel Butler, on their being charged by the enemy's cavalry, who were repulsed.'* Lee was sharply rebuked, and placed in arrest. Hurrying to the rear of the retreating corps, which the commander-in-chief found closely pressed by the enemy, he arrested their flight, re-formed them, and with the aid of some well served pieces of artillery, at once checked the enemy's advance, and gained time for making such dispositions as the emergency of the case required. The battle soon became general, and was obstinately contested at various points through the whole day, until dark—Sir Henry Clinton and General Washington heading their respective armies in person. By the misconduct of Lee, however, and an error of General Scott in the morning, advantages had been lost which entirely disconcerted the views of the commander-in-chief, and deprived the American arms of a victory which was all but certain. Still, the fortunes of the day were so far recovered, that, from being the pursued, 'the Americans drove the enemy back over the ground they had followed, and recovered the field of battle, and possessed themselves of their dead; but, as they retreated behind a morass very difficult to pass, and had both flanks secured with thick woods,

* Letter of Washington to the President of Congress, July 1, 1778.

it was found impracticable for the Americans, fainting with fatigue, heat, and want of water, to do any thing more that night.*

“Both armies encamped in the field, and lay upon their arms; Washington himself sleeping in his cloak under a tree in the midst of his soldiers. His intention was to renew and end the battle on the following morning, not doubting as to the issue. Indeed, the result of that day’s fight was justly considered a victory by the American officers, and but for the conduct of Lee in the morning, it would almost beyond question have been decisive.† But the purpose of the commander-in-chief to renew the engagement was frustrated by a silent midnight retreat of the enemy—so silent, indeed, that his departure was not known until the morning. A variety of circumstances concurred to render a pursuit by the Americans unadvisable; among the principal of which were, the extreme heat of the weather, the fatigue of the army, from its march through a deep sandy country, almost entirely destitute of water, and the distance the enemy had gained by his midnight march. A pursuit, it was believed, would answer no valuable purpose, and would certainly be fatal to numbers of the men, several of whom had perished of heat on the preceding day. The American commander thereupon drew off his army to the Hudson, crossed over, and once more established his head-quarters at White Plains. Meantime, Sir Henry Clinton proceeded to Sandy Hook, and thence passed his troops over to New York. The loss of the Americans in this battle was eight officers and sixty-one privates killed, and one hundred and sixty wounded. That of the enemy was three hundred and sixty-eight in killed, wounded, and missing, and about one hundred taken prisoners. One thousand of their men deserted on their march. Both parties claimed the victory, which was in fact won by neither. The advantages, in the earlier part of the day, were in favour of the British; in the after part, of the Americans. The stealthy retreat of the former, moreover, covered by the darkness, left no doubt as to which army was best prepared to renew the conflict with the return of daylight.”

The Indian hostilities on the Mohawk are among the important transactions of this year, for the particulars of which, I am again indebted to Mr. Stone,‡ whose language I have, as on other occasions, borrowed, with little or no variation.

* Letter of Washington to his brother, John Augustine Washington, July 4th, 1778

† In a letter to General Gansevoort from Colonel Willett, who was on a visit to head-quarters at the time of the battle of Monmouth, the colonel says: “I have had the pleasure of seeing the American army, under the great General Washington, triumph over the haughty British, in the battle of Monmouth. The action was grand, and ended gloriously.”—Manuscript letter of Col. Willett.

‡ Stone’s Life of Brant, Vol. I. pp. 362 to 368.

“The position of Fort Schuyler was of the first importance, as the key to the western entrance of the Mohawk country; but it was nevertheless, too remote from the upper German settlements of the valley, to afford them protection from sudden irruptions of the enemy, avoiding that fortress in their approach. The consequence was, that the work of destruction was actively prosecuted among the settlements referred to, during the summer of this year. The first blow was struck upon a small and rather secluded hamlet, called Andrus-town, situated about six miles south-east of the German Flatts, on the 18th of July, by a small party of Indians, led by Brant in person. This settlement consisted of seven families, planted upon a lot of one thousand acres. They were in affluent circumstances for borderers, and the object of the invasion was plunder. The settlement was utterly destroyed—every thing of value that could be removed, was carried away—the houses and other buildings was reduced to ashes—an aged man named Bell, with his son and two others, was killed—one other inhabitant perished in the flames of his own house—and the remainder of the little colony were carried into captivity. Advices of this catastrophe had no sooner reached the Flatts, than a party of resolute Whigs determined to pursue the marauders, among whom was John Frank, one of the committee of safety. Arriving at the scene of desolation, they hastily buried the dead, and continued their march, accompanied by six or seven friendly Indians, to the Little Lakes—where, also, was a small white colony known as “Young’s Settlement,” from the name of its founder. Here it was discovered that the enemy was so far in advance that the chase was relinquished. But as Young, the head man of the settlement, was a Tory, as also was his next neighbour, a man named Collyer, the exasperated Whigs avenged, to a small extent, the destruction of Andrus-town, by plundering and burning their habitations.

“But the most considerable event of the season in that vicinity, was the entire destruction of the comparatively extensive and populous settlement of the German Flatts. This settlement, originally called Burnetsfield, from the circumstance that the patent had been granted by Governour Burnet, extended over the richest and most beautiful section of the Mohawk Valley, comprehending the broad alluvial lands directly beyond the junction of the West Canada creek and the river, and including about ten miles of the valley from east to west. Midway of the settlement, on the south side of the river, yet stands the ancient stone church, the westernmost of the line of those structures built under the auspices of Sir William Johnson. A short distance east of the church stood the large and massive-built stone mansion of the Herkimer family, which, like the church itself, was used as a fort. Hence it was called Fort Herkimer. On the north side of the river, upon a gravelly plain,

elevated some ten or fifteen feet above the surrounding flats, stood Fort Dayton.

“At the time of which we are writing, the settlement on the south side of the river numbered thirty-four dwelling-houses, and there were about an equal number upon the north side, together with as many barns and other out-buildings, and several mills. The population, for the number of houses, was numerous. The lands, rich by nature, and well cultivated, had that year brought forth by handfuls; so that the barns were amply stored with their products.

“It was at the close of August, or early in the month of September, that this fine district was laid waste by the Indians under the direction of Brant. Most providentially, however, the invasion was attended with the loss of but two lives—one man being killed outright, and another, named M’Ginnis, perished in the flames. The particulars of this hostile irruption were these:—Entertaining some suspicions of Brant, who was at Unadilla, a scout of four men had been despatched into that vicinity for observation. Three of these men were killed at the Edmeston settlement. The fourth, John Helmer, succeeded in making his escape to the flats at half an hour before sundown, just in time to announce that Brant, with a large body of Indians, was advancing, and would, in a few hours, be upon them. All was, of course, terror and alarm through the settlement; and the inhabitants—men women and children—were gathered into Forts Dayton and Herkimer for security. In flying to those defences, they gathered up the most valuable of their stuff, and by means of boats and canoes upon the river, succeeded, in the course of the evening, in collecting a large portion of their best articles of furniture. But they had no time to look after their flocks and herds.

“Early in the evening, Brant arrived at the edge of the settlement, but as the night came on excessively dark and rainy, he halted with his forces in a ravine, near the house of his Tory friend, Shoemaker, where the younger Butler and his party were captured the preceding year. Here the chieftain lay with his warriors until the storm broke away toward morning—unconscious that his approach had been notified to the people by the scout in season to enable them to escape the blow of his uplifted arm. Before the dawn he was on foot, and his warriors were sweeping through the settlement; so that the torch might be almost simultaneously applied to every building it contained. Just as the day was breaking in the east, the fires were kindled, and the whole section of the valley was speedily illuminated by the flames of houses and barns, and all things else combustible. The spectacle, to the people in the forts, was one of melancholy grandeur. Every family saw the flames and smoke of its own domicil ascending to the skies, and

every farmer the whole product of his labour for the season dissolving into ashes.

“ Having no fire-arms larger than their rifles, the Indians avoided even a demonstration against the forts, notwithstanding their chagrin that neither scalps nor prisoners were to grace their triumph. But as the light of day advanced, their warriors were seen singly, or in small groups, scouring the fields, and driving away all the horses, sheep, and black cattle that could be found. Nothing upon which they could lay their hands was left; and the settlement, which, but the day before, for ten miles had smiled in plenty and in beauty, was now houseless and destitute. Happily, however, of human life there was no greater sacrifice than has already been mentioned. After the Indians had decamped with their booty, a force of between three and four hundred militiamen collected, and went in pursuit—following as far as Edmeston’s plantation on the Unadilla river, where the bodies of the three scouts were found and buried. But no other results attended this expedition. A party of the Oneida Indians was more successful. They penetrated into one of the Unadilla settlements, burnt several houses, retook some of the cattle driven from the German Flatts, and brought off a number of prisoners.

“ But the acquisitions of booty by the Indians at the German Flatts were more than counterbalanced, a few days afterward, by their losses in their own chief towns, Unadilla and Oghkwaga, which were invaded, and in turn laid waste, by Colonel William Butler, with the 4th Pennsylvania regiment, a detachment of Col. Morgan’s riflemen, then recently stationed at Schoharie, and a corps of twenty rangers. Having marched from Schoharie to the head waters of the Delaware, and descended that stream two day’s march, Colonel Butler struck off thence to the Susquehanna, upon which he emerged in the neighbourhood of Unadilla. He approached the settlement with great caution; but the enemy had left the place several days before. Two of the white settlers, Tories, were made prisoners, however, one of whom was compelled to guide the forces of Butler to Oghkwaga, which service he performed. The town was taken possession of without interruption, the Indians having fled the day before in the greatest confusion—leaving behind a large quantity of corn, their dogs, some cattle, and a great part of their household goods. The march of Butler’s troops had been fatiguing, and the vegetables and poultry, which they found here in great abundance, enabled them to fare sumptuously during their stay. The town was uncommonly well built for an Indian settlement, there being a considerable number of good farm-houses on either side of the river. These were all destroyed, together with the Indian castle three miles farther down the river, as also large quantities of provisions, intended for their winter’s supply. They

saw nothing of the enemy, and lost only one man at that place, who was shot by an Indian straggler, lurking in ambush. Returning to Unadilla, that settlement, upon both sides of the river, was burnt, as also a grist-mill and saw-mill—the only ones in the Susquehanna valley.”

We now come to the melancholy tragedy of Cherry Valley, in November of this year. In consequence of the exposed situation of that place, General Lafayette had ordered the erection of a fortification there early the preceding spring. The command of the post was solicited by Colonel Gansevoort, but it was given to Colonel Ichabod Alden, at the head of an eastern regiment, unfortunately but little accustomed to Indian warfare. I borrow the details from Mr. Stone.*

“On the 8th of November, Colonel Alden received a despatch from Fort Schuyler by express, advising him that his post was to be attacked by the Tories and Indians. The intelligence had been conveyed to Fort Schuyler by an Oneida Indian, reporting that he received it from one of the Onondagas, who had been present at a great meeting of the Indians and Tories at Tioga, at which the determination was formed. In consequence of the lateness of the season, the inhabitants, not anticipating any further hostilities before spring, had removed their effects from the fortification, where, during the summer, they had been deposited for safety, back to their own dwellings. On the receipt of this intelligence, they requested permission to remove once more into the fort, or at least to be allowed again to deposite their most valuable property within its walls. But Colonel Alden, discrediting the intelligence as an idle Indian rumour, denied their solicitations, assuring the people that he would use all diligence against surprise, and by means of vigilant scouts, be at all times prepared to warn them of approaching danger. Accordingly, scouts were despatched in various directions on the 9th. The party proceeding down the Susquehanna, as it were in the very face of the enemy, very wisely kindled a fire in the evening, by the side of which they laid themselves down to sleep. The result might have been foreseen. They were all prisoners when they awoke!

“Extorting all necessary information from the prisoners so opportunely taken, the enemy moved forward on the 10th—Butler with his rangers, and Thayendanegea with his Indians—encamping for the night on the top of a hill, thickly covered with evergreens, about a mile south-west of the fort and village of Cherry Valley. The snow fell several inches during the night—the storm turning to rain in the morning, with a thick and cloudy atmosphere. The

* Life of Brant, Vol. I. pp. 372 to 378.

officers of the garrison were accustomed to lodge about among the families near the fort; and from the assurances of Colonel Alden, the apprehensions of the people were so much allayed, that they were reposing in perfect security. Colonel Alden himself, with Stacia, his lieutenant-colonel, lodged with Mr. Robert Wells, a gentleman of great respectability, recently a judge of the county, who was, moreover, an intimate friend of Colonel John Butler, as he had also been of Sir William Johnson.* Having ascertained the localities in which the officers lodged, the enemy approached the unsuspecting village in the greatest security, veiled by the haze which hung in the atmosphere. An alarm was, however, given, before the enemy had actually arrived in the village, by the firing of an Indian upon a settler from the outskirts, who was riding thither on horseback. He was wounded, but nevertheless pushed forward, and gave instant information to the vigilant colonel. Strange as it may seem, this officer still disbelieved the approach of an enemy in force—supposing the shot to have proceeded from a straggler. But he was soon convinced of his error; for even before the guards could be called in, the Indians were upon them. Unfortunately, probably, for the inhabitants, the rangers had halted just before entering the village to examine their arms, the rain having damaged their powder. During this pause, the Indians sprang forward; and the Senecas, being at that period the most ferocious of the Six Nations, were in the van. The house of Mr. Wells was instantly surrounded by the warriors of that tribe, and several Tories of no less ferocity, who rushed in and massacred the whole family, consisting at that time of himself, his mother, his wife, his brother and sister, John and Jane, three of his sons, Samuel, Robert, and William, and his daughter, Eleanor. The only survivor of the family was John, who was then at school in Schenectady. His father had taken his family to that place for safety some months before, but his fears having subsided, they had just removed back to their home. Colonel Alden, having escaped from the house, was pursued some distance down a hill by an Indian, who repeatedly demanded of him to surrender. This, however, he refused to do, turning upon his pursuer repeatedly, and snapping his pistol, but without effect. The Indian ultimately hurled his tomahawk with unerring direction at his head, and rushing forward, tore his scalp from him in the same instant. Thus, in the very outset of the battle, fell the commander, who, had he been as prudent as he was brave, might have averted the tragick scenes of that hapless day. Lieutenant-colonel Stacia was made prisoner; and the

* Robert Wells was the father of the late distinguished counsellor, John Wells, of New York.

American guards, stationed at the house of Mr. Wells, were all either killed or taken.

“The destruction of the family of Mr. Wells was marked by circumstances of peculiar barbarity. It was boasted by one of the Tories, that he had killed Mr. Wells while engaged in prayer—certainly a happy moment for a soul to wing its flight to another state of existence; but what the degree of hardihood that could boast of compassing the death of an unarmed man at such a moment! His sister, Jane, was distinguished alike for her beauty, her accomplishments, and her virtues. As the savages rushed into the house, she fled to a pile of wood on the premises, and endeavoured to conceal herself. She was pursued and arrested by an Indian, who, with perfect composure, wiped and sheathed his dripping knife, and took his tomahawk from his girdle. At this instant a Tory, who had formerly been a domestick in the family, sprang forward and interfered in her behalf—claiming her as a sister. The maiden, too, who understood somewhat of the Indian language, implored for mercy. But in vain. With one hand the Indian pushed the Tory from him, and with the other planted his hatchet deep into her temple!

“The fort was repeatedly assaulted during the day, and at times with spirit; but Indians are not the right description of troops for such service, and being received by a brisk fire of grape and musketry from the garrison, they avoided the fort, and directed their attention chiefly to plundering and laying waste the village, having sated themselves in the onset with blood. In this work of destruction they were unmolested, since, numbering more than twice as many as the garrison, a sortie was felt to be unwarrantable.

“Among the families which suffered from the tomahawks of the Indians and Tories—for the latter, as at Wyoming, were not to be outdone by their uncivilized allies—were those of the Rev. Samuel Dunlop, and a Mr. Mitchell. Mrs. Dunlop was killed outright, and thus shared the fate of Mrs. Wells, who was her daughter. Mr. Dunlop and another daughter would likewise have been murdered but for the interposition of Little Aaron, a chief of the Oghkwaga branch of the Mohawks, who led the old gentleman, tottering beneath the weight of years, to the door, and stood beside him for his protection. The Indians attempted to plunder him of some of his attire, but the sachem compelled them to relinquish that portion of their spoil. The venerable servant of God, shocked by the events of that day beyond the strength of his nerves, died within a year afterward.

“The case of Mr. Mitchell was still more painful. He was in the field at work when he beheld the Indians approaching; and being already cut off from his house, his only course was to betake himself to the woods. On returning to his home, after the enemy

had retired, he found his house on fire, and within its plundered walls the murdered bodies of his wife and three of his children. The fourth, a little girl of ten or twelve years of age, had been left for dead. But signs of life appearing, the parent, having extinguished the fire, which had not yet made much progress, brought his little mangled daughter forth to the door, and while bending over her, discovered a straggling party of the enemy approaching. He had but just time to conceal himself, before a Tory sergeant, named Newberry, rushed forward, and by a blow of his hatchet extinguished what little growing hope of life had been left, by a darker though less savage enemy than himself. It is some consolation, while recording this deed of blood, to be able to anticipate the course of events, so far as to announce that this brutal fellow paid the forfeit of his life on the gallows, by order of General James Clinton, at Canajoharie, in the summer of the following year. On the next day, Mr. Mitchell removed his dead to the fort with his own arms, and the soldiers assisted in their interment. Several other families were cut off—the whole number of the inhabitants slain being thirty-two, mostly women and children. In addition to these, sixteen soldiers were killed. Some of the inhabitants escaped, but the greater proportion were taken prisoners. Among the former were Mrs. Clyde, the wife of Colonel Clyde, who was absent, and her family. She succeeded in reaching the woods with her children, excepting her eldest daughter, whom she could not find at the moment; and although the savages were frequently prowling around her, she yet lay secure in her concealment until the next day. The eldest daughter, likewise, had made a successful flight, and returned in safety. Colonel Campbell was also absent; but hastening home on hearing the alarm, he arrived only in time to behold the destruction of his property by the conflagration of the village, and to ascertain that his wife and children had been carried into captivity. The torch was applied indiscriminately to every dwelling-house, and, in fact, to every building in the village. The barns, being filled with the combustible products of husbandry, served to render the conflagration more fierce and terrifick; especially to the fugitive inhabitants who had escaped to the woods for shelter, and whose sufferings were aggravated by the consciousness that their retreating footsteps were lighted by the flames of their own households.

“The prisoners taken numbered between thirty and forty. They were marched, on the evening of the massacre, down the valley about two miles south of the fort, where the enemy encamped for the night. Large fires were kindled round about the camp, into the centre of which the prisoners, of all ages and sexes, were promiscuously huddled, and there compelled to pass the hours till morning—many of them half naked, shivering from the inclemency

of the weather, with no shelter but the frowning heavens, and no bed but the cold ground. It was a dismal night for the hapless group—rendered, if possible, still more painful by the savage yells of exultation, the wild, half-frantick revelry, and other manifestations of joy on the part of the victors, at the success of their bloody enterprize. In the course of the night, a division of the spoil was made among the Indians, and on the following morning the march was resumed; although parties of the Indians returned to prowl among the ruins of the village or hang upon its outskirts, during the greater part of the day, and until reinforcements of militia from the Mohawk Valley began to arrive, when they dispersed.

“The retiring enemy had not proceeded far on their way, before the prisoners, with few exceptions, experienced a change in their circumstances, as happy as it was unexpected. They had been separated, for the convenience of travelling, into small groups, in charge of different parties of the enemy. On coming to a halt, they were collected together, and informed that it had been determined to release all the women and children, excepting Mrs. Campbell and her four children, and Mrs. Moore and her children. These it was resolved to detain in captivity as a punishment to their husbands, for the activity they had displayed in the border wars. With these exceptions, the women and their little ones were immediately sent back.

“Having thus, in a great measure, disencumbered themselves of their prisoners, the enemy proceeded on their journey by their usual route at that period, down the Susquehanna to its confluence with the Tioga, thence up that river into the Seneca country, and thence to Niagara. Mrs. Cannon, an aged lady, and the mother of Mrs. Campbell, was likewise held in captivity; but being unfitted for travelling by reason of her years, the Indian having both in charge despatched the mother with his hatchet, by the side of the daughter, on the second day of their march. Mrs. Campbell was driven along by the uplifted hatchet, having a child in her arms eighteen months old, with barbarous rapidity, until the next day, when she was favoured with a more humane master. In the course of the march a straggling party of the Indians massacred an English family named Buxton, residing on the Butternut Creek, and reduced their buildings to ashes.

“Thus terminated the expedition of Walter N. Butler and Joseph Brant to Cherry Valley. Nothing could exhibit an aspect of more entire desolation than did the site of that village on the following day, when the militia from the Mohawk arrived, too late to afford assistance. ‘The cocks crowed from the tops of the forest trees, and the dogs howled through the fields and woods.’ The inhabitants who escaped the massacre, and those who returned from captivity, abandoned the settlement, until the return of peace should

enable them to plant themselves down once more in safety ; and in the succeeding Summer the garrison was withdrawn and the post abandoned.

“Next to the destruction of Wyoming, that of Cherry Valley stands out in history as having been the most conspicuous for its atrocity. And as in the case of Wyoming, both in history and popular tradition, Joseph Brant has been held up as the foul fiend of the barbarians, and of all others deserving the deepest execration. Even the learned and estimable counsellor, who so long reported the adjudicated law of the State of New York, in the tribute to the memory of the late John Wells, with which he closed the last volume of his juridical labours, has fallen into the same popular error ; and applies the second stanza in the striking passage of ‘Gertrude of Wyoming,’ which called forth the younger Brant in vindication of his father’s memory, to the case of his departed and eminent friend. It was indeed most true as applied to the melancholy case of Mr. Wells, of whose kindred ‘nor man, nor child, nor thing of living birth,’ had been left by the Indians. But it may be fearlessly asserted that it was not true as coupled with the name of Joseph Brant. It has already been seen that Brant was not the commander of this expedition ; and if he had been, it is not certain that he could have compelled a different result. But it is certain that his conduct on that fatal day was neither barbarous nor ungenerous. On the contrary, he did all in his power to prevent the shedding of innocent blood ; and had it not been for a circumstance beyond his control, it is more than probable that the distinguished counsellor referred to, would not have been left ‘alone of all his race.’ Captain Brant asserted, and there is no reason to question his veracity, that on the morning of the attack, he had left the main body of the Indians, and endeavoured to anticipate their arrival at the house of Mr. Wells, for the purpose of affording protection to the family. On his way it was necessary to cross a ploughed field, the yielding of the earth in which, beneath his tread, so retarded his progress, that he arrived too late.

“But this is not all. On entering one of the dwellings, he found a woman employed in household matters. ‘Are you thus engaged,’ inquired the chief, ‘while all your neighbours are murdered around you?’ The woman replied that they were in favour of the king. ‘That plea will not avail you to-day,’ replied the warrior. ‘They have murdered Mr. Wells’s family, who were as dear to me as my own.’ ‘But,’ continued the woman, ‘there is one Joseph Brant : if he is with the Indians, he will save us.’ ‘I am Joseph Brant !’ was the quick response : ‘but I have not the command, and I know not that I can save you ; but I will do what is in my power.’ At the moment of uttering these words, he observed the Senecas approaching. ‘Get into bed quick,’ he

commanded her, 'and feign yourself sick.' The woman obeyed, and when the Indians came up, he put them off with that pretext. Instantly as they departed, he rallied a few of the Mohawks by a shrill signal, and directed them to paint his mark upon the woman and her children. 'You are now probably safe,' he remarked—and departed.

"Another instance, from the same authority, will serve farther to illustrate the conduct and bearing of this distinguished Indian leader on that occasion. After the battle was over, he inquired of one of the captives for Captain M'Kean, who had retired to the Mohawk Valley with his family. 'He sent me a challenge once,' said the chief; 'I have now come to accept it. He is a fine soldier thus to retreat!' It was said in reply: 'Captain M'Kean would not turn his back upon an enemy where there was a probability of success.' 'I know it,' rejoined Brant: 'he is a brave man, and I would have given more to take him than any other man in Cherry Valley: but I would not have hurt a hair of his head.'"

CHAPTER XII.

Sullivan's Expedition—Van Schaick's Expedition against the Onondagas—Capture and Recapture of Stony Point—Exploit of Major Lee—Other military operations—Hot summer—Second great fire in New York—Explosion in the Harbour—Severe Winter—Unsuccessful attempt on Staten Island.

1779 This murderous affair, and a similar massacre at Wyoming, led to the determination of sending a force to lay waste the Indian settlements. General Sullivan accepted the command, refused by Gates, and marching through part of New Jersey and Pennsylvania, arrived at the desolated Wyoming, on the 17th of June, 1779. Here, every thing being prepared, on the last of July the army pushed forward upon the Indian settlements, the stores and artillery passing up the Susquehanna in one hundred and fifty boats. Having destroyed an Indian town, and built a fort, Sullivan awaited the junction of another portion of his army, which approached (under General James Clinton) by the way of the Mohawk. The expedition was complete in its effect. The Six Nations sustained a signal defeat, with the loss of about thirty men on the part of the Americans. Eighteen of their villages were destroyed, and their whole territory laid waste.*

About the same time a spirited and successful expedition was led by Colonel Van Schaick against the Onondagas, of which I will extract an account from the work of an anonymous writer,† bearing strong marks of authenticity, and which he declares to be derived from a source known by him to be correct, and by access to private papers of a most interesting kind :

“The defeat of Burgoyne did not free the frontier of this state from the most harassing alarms. Sir John Johnson and the famous Brant, assisted by the Senecas and the upper nations, were constantly, during this year and the following, engaged in the detestable pursuit of plunder, in firing settlements, in taking scalps and murdering defenceless women and children. So complete was the

* Marshall's Washington, Vol. IV. chap. iii.

† The Sexagenary or Reminiscences of the American Revolution, pp. 136 to 147.

terror excited by their movements that at one time our disheartened citizens were on the point of abandoning their homes forever, and in the words of Colonel Van Schaick, in an official letter to General Washington, 'Schenectady, under present circumstances, must inevitably become our frontier settlement.' The expedition of General Sullivan and General James Clinton, one of the bravest and most resolute of soldiers, had their effect in one quarter, while that of Colonel Van Schaick was also productive of the best consequences in another. The Onondagas had become so faithless as to act in alliance with the English, and from their position were of immense detriment to our cause. On the morning of the 19th of April, 1779, Fort Schuyler was a scene of busy preparation. After long continued inaction, which was only interrupted by partial skirmishes between our foragers and the Indians that continually hung about the fort, orders were given to the men to prepare for their departure. It was an early hour, while the fog and grey mist of the morning in some measure concealed their movements, that the detachment sallied forth, consisting of 558 men, including officers. Colonel Van Schaick,—the gallant Marinus Willet, then Lieutenant Colonel,—and Major Cochran, were the field officers of the detachment. They were accompanied by 29 batteaux, into which were placed provisions for eight days, and which were on the previous night cautiously and skilfully removed over the carrying place into Wood Creek. A sufficient number of soldiers with five officers, were left in charge with them to assist the batteaux men, and hurry them on. The others pushed on smartly to the old "scow place," as it was called, twenty-two miles by land from the fort. They reached this place at three o'clock in the afternoon, but the distance being greater by water, the boats did not all arrive until ten o'clock at night. Indeed the numerous obstructions offered by the trees that had fallen into the creek, were of themselves very formidable difficulties, overcome only by the determined spirit of the men. As soon as the boats reached the place of rendezvous, the troops were all instantly embarked, and the flotilla moved toward Oneida Lake. Once in the night the boats in front were ordered to lie too while those in the rear came up. A cold and dreary head wind made their progress slow and tedious, but the oars were plied with unremitting diligence. It was not until eight o'clock in the morning that they arrived in Desser's Bay, where the batteaux were again to rendezvous. The detachment then moved forward with as much expedition as possible for the Onondaga landing at the head of the lake opposite old Fort Brewerton, where they arrived at three o'clock, P. M. The boats were then left at that place under proper guard, and the detachment pushed forward towards the enemy. Nine miles, however, was all the distance achieved during the remainder of the day. The night was a dark

cold one—the heavens gathered blackness around, and the men could fancy without the aid of very lively imaginations, that the woods teemed with savages, ready to fall upon them. Indeed the movements of the hostile Indians, aided by powerful bands of Tories and refugees, under the command of Johnson and Brant, had been marked by such fatal celerity, as to leave room for apprehensions at every assailable point throughout the western wilderness. The troops, therefore, lay on their arms all night, and were not permitted to light their evening fires. Silently were the watches kept, and with a few words the wearied soldier partook of his evening meal. Silence and secrecy were indeed indispensable to the success of the expedition, and the soldier of two wars, who was responsible for its success, made every arrangement with profound judgment.

“Early the next day, as soon as it was practicable to proceed, the detachment moved on to the Salt Lake, since so celebrated for the villages that adorn its shores, the wealth poured into the coffers of individuals, and for its salines more precious than mines of gold. At nine o'clock they reached an arm of the lake. This was forded at a place where the distance was two hundred yards across, and the depth of the water was for most of the distance four feet. The men, however, marched in good order through, and pushed on with redoubled speed to the Onondaga Creek. Here it was that a warrior of that celebrated tribe was captured by Captain Graham, who commanded a light infantry company. He was the first Indian discovered, and was instantly taken. Had he escaped, the result of the expedition would have been somewhat uncertain. At this point it was that arrangements were made to effect a complete surprise. Captain Graham was ordered on in advance to attack the nearest settlement of the Indians only two miles distant, while the old Colonel hurried his men by companies as fast as they could cross the creek on a log, (which fortunately served as a bridge,) where the stream was not fordable. One by one the troops passed over in safety. The circumstance of this log remaining in its place over the stream, is a remarkable one; it was of immense service and obviated the delay of seeking a place to ford at a critical moment. It was the redman's Thermopylae. On this occasion a few could have kept off our troops, for a time at least, which might have enabled their warriors to rally if not to defeat the expedition. It allowed the commander to get into the heart of the enemy's country before they were apprised of his coming. The careless shouting of soldiers on similar occasions, and the heedless discharge of fire arms, would have led the wary and powerful Onondagas to a knowledge of their impending danger.

“The advance of Captain Graham could, however, be no longer concealed when in the vicinity of the castle he was employed in

making prisoners. When the whole detachment arrived at this place which was the principal town situated in the hollow, and was large and well peopled, the alarm spread. Concealment of their purpose was no longer possible. The Indians gave way on all sides, making for the woods. Colonel Van Schaick then despatched different parties by different routes to get in the rear of the other settlements, which were scattered over in different directions eight miles, and they were ordered to move on with the greatest despatch. The alarm spread, however, in spite of every previous precaution, but such was the haste in which they fled, and such was the ardour with which they were pursued, that they had not time to carry off a single article. Thirty-three savages were captured, and twelve killed in the melee. One white man was also taken prisoner. The whole of their settlements were destroyed, and upwards of fifty of their best houses burned. A large quantity of corn and beans was also given to the flames. A hundred English muskets, a few rifles, and some uncommon fine horses, together with some other animals, were among the booty. Hard as was the task, and severe the punishment, yet it was judged necessary to put the cattle to death, and the horses were shot without hesitation. This act of severity was a blow which the Onondagas long remembered. A considerable quantity of ammunition was found at the council-house. After the men had loaded themselves with as much spoil as they could carry, the residue was doomed to destruction, and

‘The wide field, a waste of ruin made.’

The detachment then drew off and commenced their return. In crossing the creek, however, a party of Indians, who had arrived there during their absence, fired upon them unexpectedly from the opposite side. Lieutenant Evans was ordered to beat them off with his riflemen, which he effected in very gallant style without any loss.

“The weather, during this day, was propitious. The next day the troops reached the place, and, finding their boats in good order, sailed to the Seven Mile Island, where the troops encamped, and had time to rest themselves after their great fatigue. A more picturesque bivouack never was witnessed. The lake was quiet. Its calmness was in keeping with the hour, the gratification of success and the anxiety for repose. The evening fires threw their blaze of light over the waters, and communicated warmth and comfort to the sleeping groupes around. There was one who surveyed the scene with unmingled satisfaction. He had accomplished the desirable object for which he had been selected, and by a bold stroke had broken down the strength of the most powerful tribe of all the Indian nations. Numerous and warlike, they had filled the country with alarm, and the cabins of the white man with blood. It was the opinion of General Schuyler that had not something been done

at this crisis, we should not have had a settlement beyond Schenectady. Nor were the emotions which belonged to the hour, those of the more obvious feelings of conquest. The recollection that all had been accomplished without the loss of a single man, was a source of pleasure that surpassed the excitement of pride and the flush of victory. The next day the detachment crossed the lake, and landed two miles from the mouth of Wood Creek, at two o'clock in the afternoon, and while two companies were left to guard the batteaux men in their navigation up the creek, the remainder of the detachment marched eight miles further and encamped for the night on the bank of Fish Creek. The next day several showers of rain impeded their progress to the fort, but notwithstanding, the troops arrived there at noon, after an absence of five days, and a journey of one hundred and eighty miles.

“The thanks of congress were voted to Colonel Van Schaick on this occasion, and to his brave companions, to whom, in his official report, he declared he was ‘under peculiar obligations’ for their cheerfulness ‘throughout a severe and laborious march, and for the truly determined spirit’ shown by them on the occasion.

“It was but a short time after Colonel Van Schaick’s expedition, that the Oneidas appeared in all the pomp and circumstance of an embassy, at the fort, to enquire into the reasons of the expedition, and perhaps with secret instructions from the Onondagas, to threaten or conciliate the Americans, as circumstances should permit. Their orator was priest Peter, as he was called; and the famous Skenandoah, the principal sachem was present. The interpreter, Mr. Dean, followed the speaker with these words :

“‘Brother, you see before you, some of your friends, the Oneidas, they come to see you.

“‘The engagements that have been entered into between us and our brothers, the Americans, are well known to you.

“‘We were much surprised a few days ago, by the news which a warrior brought to our castle with a war-shout, informing us that our friends, the Onondagas, were destroyed.

“‘We were desirous to see you on the occasion, as they think you might have been mistaken in destroying that part of the tribe.

“‘We suppose you cannot answer us upon this subject, as the matter was agreed upon below. But perhaps you may know something of this matter.

“‘When we heard of this account, we sent back word to our friends remaining among them, telling them not to be pale hearted, because some were destroyed, but to keep up with their former engagements.

“‘We sent off some of our people to Canasaraga, to invite them to our village, but they returned an answer that they had sent some

of their runners to Onondaga, to learn the particulars, and they waited for their return.

““ Our people brought for answer, that they were much obliged to their children, the Oneidas, for attending to them in their distresses, and they would be glad if they would speak smoothly to their brethren, the Americans, to know whether all this was done by design or mistake.

““ If a mistake, say they, we hope to see our brethren the prisoners—if by design we still will keep our engagements with you and not join the king’s party. But if our brethren, the Americans, mean to destroy us also, we will not fly—we will wait here and receive our death.

““ Brother, this was the answer of the Onondagas. As for us, the Oneidas and Tuscaroras, you know our sentiments. We have supposed we knew yours.

““ The commissioners promised us that when they found any thing wrong, they would tell us and make it right.

““ Brother—If we have done any thing wrong, we shall now be glad if you will now tell us so.’ ”

“ The grunt of the sachems echoed back their approbation of the speaker, as he gracefully threw his mantle over his arm and sat down.

“ Colonel Van Schaick then rose, and stepping forward, replied as follows :

““ I am glad to see my friends the Oneidas and Tuscaroras. I perfectly remember the engagements of the Five Nations entered into four years ago, and that they promised to preserve a strict and honourable neutrality during the present war, which was all we asked them to do for us.

““ But I likewise know that all of them, except our brethren the Oneidas and Tuscaroras, broke their engagements and flung away the chain of friendship. But the Onondagas have been great murderers, we have found the scalps of our brethren at their castle.

““ They were cut off, not by mistake, but by design—I was ordered to do it—and it is done.

““ As for the other matters of which you speak, I recommend a deputation to the commissioners at Albany. I am not appointed to treat with you on those subjects.

““ I am a warrior—My duty is to obey the orders which they send me.’ ”

Stony Point had fallen into the hands of the British, and by them was strongly fortified. It was garrisoned by the seventeenth regiment, a company of grenadiers of the seventy-first, a corps of refugees or Tories, with adequate artillerists ; the whole commanded by Colonel Johnson. The plan of this enterprize was

formed by the commander-in-chief, and he chose Wayne to execute it, who accomplished the object with his wonted skill and intrepidity, and with comparatively a trifling loss. But such was the weakness of the American army, that a sufficient force could not be spared to garrison the post, and it was soon found necessary to abandon it. It was re-occupied by the enemy.*

A very short time after this, Major Lee performed a brilliant exploit, still nearer to the city of New York. The British had a garrison at Paulus Hook, now Jersey City, but then only known as the ferry and first stage between New York and Philadelphia. Paulus Hook is, by nature, almost an island, and the British had made it quite so, by cutting a deep ditch through the marsh, into which the tide flowed, and rendered it impassable except at low water. They had a draw bridge over this ditch, which, of course, was only let down for their own use; and a strong gate appeared to secure this pass. The post was well fortified and garrisoned, but being far removed from the nearest American station, was considered out of danger. Lee had observed, or gained intelligence of the negligence of the garrison, and formed the design to surprise them. Lord Stirling, to aid the enterprize, ordered a detachment down towards the Hackinsack river to forage, which caused no alarm, and followed himself with five hundred men, three hundred of whom were to accompany Lee over the river, and to the attack of the point. He reached the creek between two and three in the morning, crossed the ditch undiscovered, and entered the main work with the loss of two killed and three wounded. A few of the British were killed at the first charge, and one hundred and fifty, including three officers, made prisoners. They were borne off with the standard: and the victors arrived at Hackinsack river, where boats were to have been in waiting. These had been withdrawn by mistake, and the men, fatigued with a march of many miles, were obliged to push rapidly up the river fourteen miles before they gained the bridge, crossed, and were met by their friends. This exploit was performed within sight of the army at New York, and of their ships of war in the harbour.

During the summer of 1779, Sir Henry Clinton received a reinforcement from England, and made preparations for detaching troops from New York, by fortifying the approaches on the land side, and on Long Island. The inhabitants were enrolled as militia, and many formed volunteer companies, and were drilled and uniformed. These were principally English and Scotch merchants, and refugees from Boston and elsewhere. I have seen these volunteer companies acting as press-gangs for the fleet, and arresting

* Marshall's Washington, Vol. IV. chap. ii.

sailors, and sometimes others, at the point of the bayonet. It appears by published letters that Sir Henry Clinton was discontented with the service, and very much with the conduct of the refugees, who were formed into a "board of loyalists" under Governour Franklin, formerly of New Jersey, and who generally interfered with the plans of the general, by representations to the ministry.

In the month of September, the British forces had returned from depredating to the eastward, and two large columns moved from the city of New York up the Hudson, one on each side. Cornwallis commanded on the west side of the river, with his left on the Hackinsack. Knyphausen led the column on the east of the Hudson. Colonel Baylor crossed the Hackinsack, on the 27th of September, with his cavalry, and took post at a place called Herringtown, where a party of militia was quartered. Cornwallis saw that this post was within his reach, and ordered two detachments, under General Gray and Colonel Campbell, to advance on Baylor's cavalry. Guided by some mercenary wretches, inhabitants of the neighbourhood, the British eluded the patrols of Baylor, and cut off his advance guard without alarming the main body of the regiment, who were asleep in a barn. The orders of General Gray were to charge upon his enemy, thus taken by surprise, and give no quarter. The inhuman order was obeyed almost to the letter. Of one hundred and four privates, sixty-seven were bayoneted, while demanding quarter. Baylor was wounded with a bayonet, but recovered; his major died of his wounds. One of Gray's captains disobeyed the order of his commander, and made prisoners of about forty, choosing rather to give quarters to brave men than to stab them defenceless and unresisting. Three days after this, the gallant Major Lee, with his cavalry, and Colonel Richard Butler, with some infantry, fell in with a party of German yagers, of whom they killed ten, and carried off eighteen, with the commanding officer, as prisoners.

I have alluded to the sufferings from heat at the battle of Monmouth, on the 28th of June, 1778; and on the night of the 7th of August, I remember that I lay panting for air on the floor near a window, having left my bed, when I was roused from imperfect sleep by the cry of fire, and the ringing of alarm bells. In those days such alarms were rarely known, and it was probably the first time I had ever heard the terrifick stroke. I started up, and saw every thing around illuminated by the blaze. Three hundred houses were rapidly consumed; all Dock street and Little Dock street, with many buildings adjacent. This was called the second great fire. In the morning I visited the ruins, and assisted a schoolmate to rescue and guard some remaining furniture belonging to his widowed mother. Well I remember looking at the sun through the smoke, with wonder at his fiery face disfigured by the curling masses of

black and red smoke, as they mounted from the half burnt buildings. There were no fire companies organized, as had previously been ; the citizens were accustomed to form ranks from a pump or reservoir, and each to bring the buckets of his house in case of fire ; but on this occasion the military interfered, and, perhaps intending well, aided the work of destruction. The heat of the 8th of August, 1778, was intolerable, and the spirits of the people of New York depressed by the recent conflagration. About one o'clock, masses of black clouds overshadowed us from the west, and a thunder-storm commenced with violence ; but the flashes of lightning, or the deafening peals of thunder did not prevent my father's family from setting down to dinner, for it was while thus engaged that a crash startled every one from his seat ; the house appeared to shake ; papers which had been left near an open chamber window came fluttering down in fantastick gyrations—"the house is struck !" was the cry, which seemed to be confirmed, as the tiled roof on the front rattled to the pavement, and torrents of rain poured in without impediment.

On running into the street it was seen that all the houses with tiled roofs were in the same situation. Consternation was general, and the cause unknown of so violent and extensive a concussion. But soon was seen a black column of smoke rising in the east far over the houses, and while gazing at this new phenomenon, one arrived from the east river side of the town, and explained the awful appearances. A powder vessel, lying off in the stream, had been struck by the lightning, and exploding, produced the startling effects we had witnessed. Every house facing the river was uncovered, in front, exposed to pelting rain, and every face that was seen looked horror struck.

A brig had been left in charge of a boy, who was the only person that suffered death. Such is my recollection of the night and day of the second great fire. I remember that day as one of gloom and darkness.

The winter of 1779-80, is still known as the hardest winter. In New York great efforts were made to increase the depreciation of continental money, by manufacturing counterfeit bills, and during this winter the American army, quartered in their own country, were in a state of extreme suffering, being in want of clothing and food. The general, describes his army as "men half-starved, imperfectly clothed, riotous, and robbing the country people of their subsistence, from sheer necessity." The soldiers were reduced to half allowance of rations, and the general to the necessity of making requisitions upon each county of New Jersey for a stated quantity of meat and flour, to be delivered within six days ; giving notice of the necessity which would oblige him to resort to coercion. "To the honour of the magistrates, and people of New

Jersey," Ch. J. Marshall says, "although their country was much exhausted, the supplies required were instantly furnished, and a temporary relief obtained." Amidst these distresses, a blow was aimed at the enemy on Staten Island. A bridge of ice gave opportunity for any force to pass from the main land, and it was supposed that the state of the harbour of New York would prevent reinforcements being sent from thence. General Washington ordered a detachment of two thousand men, under Lord Stirling, to attempt a surprise of the troops on the island, principally consisting of Skinner's new corps, computed at twelve hundred men. The expedition was a failure. The enemy were found entrenched and prepared. The tories of the neighbourhood would not allow their friends to be surprised. It was likewise found that a passage remained open for boats from New York to Staten Island, and that troops could be thrown across the bay. Stirling, under these circumstances, retreated with some loss, and many of his followers frostbitten. His army had been followed by the most licentious of the New Jersey borderers for the purpose of plunder, and the officers had, after their return, the task of rescuing part of the spoil, and returning it to the owners. This transaction took place in January. Afterward, the long continuance of severe cold closed the bay of New York, with solid ice, so that I remember to have seen a troop of horse and artillery crossing to Staten Island on this immense bridge, which connected all our islands, one with the other, and with the main land.

This occasioned much suffering to the army, more to inhabitants. Wood was cut on the three islands by the military, and few trees escaped the axe that winter. But fuel and provisions were scarcely to be purchased by the citizens, even those who had means of paying exorbitant prices. In many instances household furniture was broken up to supply the fire necessary to support life. From Cortlandt street to Paulus Hook, I well remember the beaten track for sleighs and waggons, winding occasionally around, and between the hills of ice; and a similar road in use to Hoboken, from whence some wood was procured, by parties of soldiers sent over for the purpose. On the 17th of March, I saw horsemen crossing the bay on the ice, but it was then considered dangerous to make their road over the deeper part, or channel.

CHAPTER XIII.

*Arnold commands at Philadelphia—His misconduct and trial—
Commands at West Point—Intrigues with the enemy and treason
—Capture and execution of Andre—Escape of Arnold.*

1780 THE treason of General Arnold is an event of such magnitude that it appears necessary to recur to his previous history, from the memorable battles of Behmus's Heights, in which he played so conspicuous a part, to the moment of the capture of Major John André, and the discovery of the infernal plot in which both participated.*

General Arnold appears to have passed the early part of the Spring of 1778 in his native state of Connecticut; and in May, he joined the main army, at Valley Forge, in Pennsylvania. Not being yet sufficiently recovered from his wound to take part in the active operations of the campaign, General Washington gave him the command of the city of Philadelphia, upon the retreat of the enemy. It was here the weak points of this unamiable man's character became again conspicuous; and here he was prepared for the vile and odious transaction which has handed down his name with infamy to posterity.

Even a prudent man might have found himself in a difficult situation as commandant of a city which had been eight months occupied by the enemy, replenished with British merchandize of doubtful ownership, and still occupied by many adherents to the cause of royalty, either known or suspected. It was likewise very difficult to find the line to which his military power was to extend, without interfering with the civil authority and laws of the state.

By a resolve of congress, the removal or sale of all goods in Philadelphia was to be prevented until it was ascertained whether any of the property in them belonged to the king of Great Britain,

* My principal authority is the very interesting biography of Arnold by Mr. Sparks—not omitting to consult the Gates' Papers, in manuscript—the Journals of Congress—the American Register—Marshall's History—Joshua H. Smith—and other sources of information. Marshall says, he received from Lafayette the information that Arnold, while in command at West Point, endeavoured to procure from General Washington the names of his secret emissaries in New York. He pressed Lafayette on the same subject.

or to any of his subjects. On Arnold's entering the city, he issued a proclamation in conformity with this resolve. This prohibition appeared arbitrary, and its immediate source was rendered unpopular. Shortly after, Arnold either had, or pretended, a wish to serve in the navy rather than the army, and wrote to General Washington on the subject. His wounds, he said, prevented active service on shore, but would not impede usefulness at sea. He, perhaps, expected the sole command on that element, and his habitual extravagance rendered the prospect of riches, from captures at sea, desirable. General Washington gave no opinion on the subject, and the scheme dropped. In the meantime Arnold involved himself in difficulties with the president and council of Pennsylvania; which at length drew from that body a resolve that the course of his military command in Philadelphia had been "oppressive, unworthy of his rank and station, highly discouraging to those who had manifested an attachment to the liberties and interests of America, and disrespectful to the supreme executive authority of the state." Her attorney-general was authorized to prosecute him for such "illegal and oppressive acts as were cognizable in the courts of law."

Charges were issued against him—some implying criminality, and all, wilful abuse of power. An appeal was made to congress, and these charges, with divers papers, laid before that assembly. Many difficulties arising in the course of investigation, it was agreed to refer the affair to a military tribunal. Four charges were pronounced cognizable by a court martial, and these were transmitted to the commander-in-chief, who ordered a court to be convened, appointed the time of trial, and gave notice to the parties concerned.

Highly displeased with this course, Arnold was not sparing of complaints and accusations of injustice; but desired a speedy trial, declaring "his conviction that justice would be rendered to him by a court martial."

It ought to be remarked, that during this controversy, Rivington's paper (which was under the control of Sir Henry Clinton, the ex-governour William Franklin, and other leaders of the English party,) contained a succession of paragraphs advocating the cause of Arnold, and charging the rebels with ingratitude to their best military commander.*

Difficulties and delays occurred in respect to the form of trial. Arnold resigned his command of Philadelphia, in March, 1779. In April, he was married; and the trial was appointed for the 1st of June: but the indications of active measures taking by the enemy, called for the services of the officers selected for the court,

* See Papers.

and a further delay, much to the displeasure of Arnold, was the consequence.

He continued to reside in Philadelphia, and held his commission, although without command. But his character and manners were so unpopular that he was on one occasion insulted by the populace, and he applied to congress for a guard, but they referred him to the government of Pennsylvania, his known and avowed enemies. Again he applied to congress, and reminded them, as usual, of his services, patriotism, etc. etc., but again they declined. In this disagreeable situation his affairs remained until the campaign being ended, his trial commenced at Morristown, in December, and was concluded on the 26th of January, 1780.

The court dismissed some of the charges against him, and only found that in two instances of minor importance his conduct had been imprudent and improper. The sentence was, that on these charges he should be reprimanded by the commander-in-chief. This duty was performed by that great man with his characteristic delicacy, and in a manner the most soothing. "I reprimand you," he said "that in proportion as you had rendered yourself formidable to our enemies, you should have shown moderation towards our citizens. Exhibit again those splendid qualities which have placed you in the rank of our most distinguished generals. As far as it shall be in my power, I will myself furnish you with opportunities for regaining the esteem which you have formerly enjoyed."

But before these words fell powerless on his ear, Arnold had decided on the step which was to free him from the difficulties into which his profusion and ostentation had involved him, and at the same time consign his name to lasting infamy. He had already sold himself, and the lives and fortunes of his countrymen, as far as he could betray them, to the arrogant and merciless enemy who looked for that conquest from treachery, which he could not achieve by arms.

He asked permission to return to Philadelphia to arrange his private affairs. In that city he had lived in a manner to which his funds were utterly inadequate. One of the first houses, furnished in the most expensive style, corresponded with his appearance in publick, riding in a coach drawn by four horses splendidly caparisoned, and attended by numerous menials suitable to such arrogant pretensions. His marriage with a fine lady who had been the belle of the British beaux, while the place was an English garrison, and the entertainments given to correspond with his other ambitious display, all increased the debts he necessarily contracted. To support in part this splendour, he entered into partnerships with individuals who speculated in goods purchased clandestinely upon the enemy's lines, and with others in privateering adventures against

those with whom he was already in negotiation for the betraying of his country.

Among his various attempts to supply that extravagance which he had not the courage or magnanimity to abandon, he persisted in his exorbitant claims upon congress for balances pretended to be due for advances made by him in the course of service. Disgusting friends and enemies by his pretensions and effrontery, he failed in this resource, and before finally concluding his bargain of blood with Sir Henry Clinton, through the knight's agent, André, Arnold offered himself to the French ambassador, M. de Luzerne, requesting a loan, which was understood to be a bribe, by which the American general was to become the creature of France. This was declined, and now the only calculation was to inflict as much injury on his country as possible by way of enhancing the price he was to receive from the enemy.

With this view, he asked and obtained the command of West Point, the great pass of the Highlands—the possession of which would divide the Eastern states from their sisters, open the communication to the interior of New York, and perhaps Canada, besides inflicting a wound on the army of the United States, both in respect to the brave men to be sacrificed, and the warlike material that would be lost to the country.

Arnold's wife, a lady who had probably been captivated with that splendour which was one cause of his baseness, had been the heroine of the *Mischianza*, a mock tournament, in theatrical style, got up by the British officers in compliment to Sir William Howe on occasion of his departure. André was of course conspicuous in this mimic display of chivalry; and his intimacy with Miss Shippen was continued after the gallant Major had been driven with his brethren back to New York.

He corresponded with the lady by letters, and through this channel Arnold's necessities, which laid him open to the final shafts of corruption were undesignedly communicated to Sir Henry Clinton, and the bargain of treason and murder consummated. There can be no doubt but that Arnold's connection with this woman and her friends, all attached to Great Britain and enemies of his country, added the last and deepest shade to his already stained and discoloured character.

Arnold now represented to General Washington that his wounds were in such state as to allow his active exertion for his country, though not on horseback. He represented to General Schuyler, who duly appreciated his military talents, that he might be of service as commandant on the Hudson. Schuyler made the intended communication to General Washington, without its appearing to come immediately from Arnold, who likewise engaged Robert R. Livingston to suggest the appointment of commandant of West

Point to the commander-in-chief, without the traitor appearing anxious for it. He likewise visited camp, and expressed his wish to be in service, still hinting that his wounds prevented active command, but avoided mentioning the object of his wishes. He passed on to Connecticut, and in returning again, saw General Washington; still nothing was decided. He then visited West Point, and minutely observed the works—still avoiding any expression of his desire for a command at that post.

It must be held in mind that the pass of the Highlands at West Point was considered as the link which held the states together. After the loss of Forts Montgomery and Clinton, in 1777, a strong boom had been thrown across the Hudson from West Point to the eastern shore. The point had been fortified, and Fort Putnam, the remains of which testify its strength, had been erected on the pinnacle of the rock and was deemed impregnable. It was constructed of rock, was bomb-proof, and unassailable.

When General Washington, in consequence of the preparations of the British to attack Rhode Island, was moving his army towards New York, Arnold joined him, and had the post of honour assigned to him, as commander of the left wing; but, to the general's surprise, he learned that this officer, who had ever been eager for the post of danger, had hinted to Colonel Tilghman his wish to be placed at West Point, as a situation better suited to *his lameness*.

Clinton having debarked his troops, and the plans of the campaign changing, General Washington complied with what he found to be the wish of Arnold; and on the 3d of August, 1780, the orders and instructions were accordingly issued at Peekskill. Arnold repaired without delay to the Highlands, and established his quarters at Robinson's house, two or three miles below West Point, on the opposite side of the river.

The main army recrossed the Hudson, at King's Ferry, moved down towards Hackinsack, and encamped with its left wing near Dobbs's Ferry. The right wing was commanded by Greene, and the left by Lord Stirling, while the light infantry, commanded by General Lafayette, were six miles in advance of the main body.

An incident which the gallant and honest Lafayette tells us, marks the character of Arnold more distinctly than even the denouement of his diabolical plot. Before leaving the army for West Point, he went to the marquis, and mentioning his knowledge that the noble Frenchman had spies in New York, employed at his own expense, he asked their *names* and address; suggesting that their intelligence might reach him more certainly and expeditiously by the way of West Point, and suggesting that if he was in possession of their names, he might facilitate the intercourse. The gallant and ever honourable Lafayette escaped the snare laid by the arch traitor, merely through his honest and upright sense of duty—replying that

those individuals had confided in *him*, and he could not divulge their secret to any person whatever.

We have seen that this correspondence, in which all the arts of falsehood and deceit were exerted for the purposes of treachery, was begun by the *chivalrous* Major André, and the *admired* Miss Shippen, and continued by Mrs. Arnold with the same honourable gentleman. Under feigned names the parties communicated for months ; while the man in whose mouth the honour of the soldier and patriotism of the citizen were ever uppermost, was maturing the plan of traitorous mischief. When André and Arnold corresponded, the Briton assumed the name of John Anderson, and the traitor that of Gustavus.

We are told that in the first letters of Arnold to Sir Henry Clinton, the traitor merely expressed his dissatisfaction with the French alliance ; touched on topicks that he knew would be agreeable, and gave intelligence, which (as it proved true) excited the curiosity of the English general to know who his unknown correspondent was. From the nature of the information communicated, it was evident that the person held a post of consequence ; and at length it was obvious that the American General Arnold was the man, although nothing in the letters, if any one had fallen into other hands, could have discovered the writer. Arnold thus betrayed the confidence reposed in him by his countrymen, while his trial was going on ; and he was at this time pleading his patriotism, honour, and services, to prove that the charges made against him must be false. When he had been restored to active service by the acquittal of the court martial, Clinton saw in him a tool worth buying. *Gustavus* (his assumed name in their correspondence) soon let the English general know that he should have a command of importance, and when *Arnold* took possession of West Point, the English general saw the importance of the treachery thus put in the power of his correspondent.

A French army and fleet were at Rhode Island, ready to co-operate with General Washington. There was reason to think that the combined forces would be directed against New York. It was to be expected that West Point would be made the depository of vast magazines for this purpose, in addition to the stores already placed there. To seize upon these, would defeat the plans of his enemies, give him the command of the important post through, and magazines of, the Highlands, and would terminate the campaign with eclat ; and the British commander-in-chief was eager to complete the advantageous bargain which his correspondent Gustavus offered to him.

In his letter to Lord George Germain as published, he says, the arrival of Sir George Rodney with a fleet at New York, “ rendered it highly probable, that Washington would lay aside all thoughts against this place. It became therefore proper for me no longer

to defer the execution of a project, which would lead to such considerable advantages, nor to lose so fair an opportunity as was presented, and under so good a mask as an expedition to the Chesapeake, which every body imagined would of course take place. Under this feint I prepared for a movement up the North River. It became necessary at that instant, that the secret correspondence under feigned names, which had been so long carried on, should be rendered into certainty, both as to the person being General Arnold, commanding at West Point, and that in the manner in which he was to surrender himself, the forts, and troops to me, it should be so conducted under a concerted plan between us, as that the King's troops sent upon this expedition should be under no risk of surprise or counterplot ; and I was determined not to make the attempt but under such particular security. I knew the ground on which the forts were placed, and the contiguous country, tolerably well—having been there in 1777—and I had received many hints respecting both, from General Arnold. But it was certainly necessary that a meeting should be held with that officer for settling the whole plan. My reasons, as I have described them, will, I trust, prove the propriety of such a measure on my part. General Arnold had also his reasons, which must be so very obvious, as to make it unnecessary for me to explain them. Many projects for a meeting were formed, and consequently several attempts made, in all of which General Arnold seemed extremely desirous that some person, who had my particular confidence, might be sent to him ; some man, as he described it in writing, *of his own mensuration*. I had thought of a person under this important description, who would gladly have undertaken it, but that his peculiar situation at the time, from which I could not release him, prevented him from engaging in it. General Arnold finally insisted, that the person sent to confer with him should be Adjutant-General Major André, who indeed had been the person on my part, who managed and carried on the secret correspondence.”*

Major André appears to have been, both as an officer and man, highly engaging in appearance and manners. His prompt attention to military duties had secured him the favour of Sir Henry Clinton, who received him as an aid, and on the resignation of the office of adjutant-general, by Lord Rawdon, André received the appointment, with the rank of major—obtained from the English minister, by the commander-in-chief's earnest solicitation. That he was a man of amiable disposition and fascinating manners, is testified by all, and confirmed by the rapidity of his military advancement without fortune or family influence.

* Sparks's Life of Arnold, (Am. Biog. Vol. III.) pp. 168, 169.

It having been decided that André should go to meet Arnold and make a final bargain for the post he was entrusted with, and for the lives he was sworn to protect, the first consideration was to bring about an interview without exciting suspicion. On the 30th of August, Arnold, as *Gustavus*, wrote to his correspondent, *John Anderson*, (André,) that he expected soon to be able to meet him and settle their "commercial plan" satisfactorily to "both parties"—alluding to himself as a *third person*, he says: "He expects, when you meet, that you will be fully authorized from your house"—that is, will have ample powers from Sir Henry Clinton. "Speculation might at this time be easily made"—intimating that circumstances favour the delivery of the post and garrison—"with ready money"—thus letting Clinton know that the price of his perfidy must be paid down, and that he would not trust him.

Arnold's plan appears to have been, that this definitive meeting should take place at his own head-quarters, where André was to be introduced as one of those persons, who, habitually acted as spies upon the British. By letter André was informed of the arrangement, and Arnold sent notice to Colonel Sheldon, (who was stationed at Salem, some miles from the river, on the east side of the Hudson,) that a person was expected from New York; and should he arrive, immediately to send information to head-quarters.

André, however, did not choose to trust his correspondent *Gustavus*, quite so implicitly. But under his feigned name of *John Anderson*, and in a disguised hand, wrote to Colonel Sheldon, saying:—"I am told my name is made known to you, and that I may hope your indulgence in permitting me to meet a friend near your outposts. I will endeavour to obtain permission to go out with a flag, which will be sent to Dobbs's Ferry on Monday next, the 11th instant, at twelve o'clock, where I shall be happy to meet Mr. G——. Should I not be allowed to go, the officer who is to command the escort, between whom and myself no distinction need be made, can speak on the affair. Let me entreat you, sir, to favour a matter so interesting to the parties concerned, and which is of so private a nature, that the publick on neither side can be injured by it."

This letter Sheldon enclosed to Arnold, at the same time informing him, that his health not permitting him to go to Dobbs's Ferry, he hoped the General would either go thither himself, or send some other person to meet the spy. It may be remarked, that Dobbs's Ferry, was about twenty miles from Sheldon's station, which was distant from head-quarters, about fifteen miles, and that Arnold by the nearest route, was twenty-five miles from the ferry; and must on the route cross Croton River. It appears that Sheldon did not fully understand, why the spy was to be accompanied by an escort, and Arnold seemed to think it necessary to make an ex-

cuse to Sheldon for the circumstance ; he, therefore, wrote to him that he had been obliged to express himself with great caution to this Mr. Anderson, and to use the signature of *Gustavus*, to prevent discovery if his letter fell into the enemy's hands : he noticed that passages in Anderson's letter must appear mysterious to Colonel Sheldon, and said he would himself, as he had business at Verplank's Point, proceed to Dobbs's Ferry, and meet the flag. Now, Verplank's Point, is about a third of the way from Arnold's headquarters to the ferry. He further told Sheldon, that should the expected meeting not take place, and Anderson should come within the lines, he wished an express immediately to be sent to him, and the visiter to be forwarded to head-quarters, with an escort of horsemen—he gave as a reason for not meeting Anderson at Sheldon's quarters, the difficulty which attended his riding. From this we infer, that his visit to Dobbs's Ferry was by water : Robinson's house, or Arnold's head-quarters, being but a short distance, east from the Hudson. Further to blind the eyes of Sheldon and others, he requested the Colonel, if his health permitted, to accompany Mr. Anderson ; and if General Parsons arrived, as he was expected with a body of troops from Connecticut, to show him the letter relative to Anderson.

On the 10th of September, Arnold proceeded by water down the river from Robinson's house, his head-quarters, to King's Ferry, thus crossing to the west side of the Hudson. There he took up his quarters for the night at Joshua Hett Smith's, about two and a half miles from the ferry, on the Haverstraw road.

This Mr. Smith* was connected with men of respectability in the city of New York. He was a brother to the King's Chief Justice William Smith, known as author of a history of the early times of the province, (to which frequent reference has been made in the course of this work,) and subsequently, as Chief Justice of Canada ; but the property of Joshua, had placed him (and he had evinced the wish to be) on the part adverse to his brother. The predecessor of Arnold in command at West Point, had been in the practice of employing this Joshua Smith to procure intelligence from the city, which his respectable connexions gave him opportunities of doing that were denied to meaner agents. Besides, his residence so near the out-posts, made him acquainted with the people on both sides of the lines, and on the neutral ground. His standing in society and education, gave him influence over his neighbours, and as his character and connexions were communicated to Arnold, he, upon his arrival at West Point, had made a point to gain Mr. Smith's favour and confidence, seeing in him a valuable tool for his purposes.

* Smith says, he was suspected of favouring the British cause.

He visited Smith ; appeared to confide in him ; invited him to head-quarters, and furnished him with written permission to pass the guards at all times. Such permissions were used by many to hold communication with others within the English lines, for the purposes of obtaining goods for their own profit, and intelligence for the officers granting the passports.

After passing the night at Smith's, Arnold proceeded down the river to meet André and Colonel Beverley Robinson, at Dobbs's Ferry, but as his barge approached the place, it was fired upon by the British gun boats, who pursued him to the eminent risque of his being captured. He landed on the west side, and went down to the Ferry, but the previous accident seems to have disconcerted the plan of meeting, and he returned to his head-quarters. With the conspirator's caution, he wrote to General Washington, and among other affairs relative to the post entrusted to him, mentioned that he had gone down the river to give orders relative to precautions in case the enemy should ascend.

Another appointment was now to be made, and additional precautions were rendered necessary, as Arnold knew that the commander-in-chief would cross the Hudson at King's Ferry, on his way to meet Count Rochambeau at Hartford. Two days after his disappointment, he found an opportunity of conveying a letter to André, couched in the phraseology of mercantile transactions, in which he warned him not to be too free in his letters to Colonel Sheldon, and invited him to come to the landing on the east side of Dobbs's Ferry on Wednesday, the 20th of September, at which time and place, a person would meet him and conduct him to the writer, "It will be necessary for you to be in disguise. You may rest assured, that, if there is no danger in passing your lines, you will be perfectly safe where I propose a meeting."

Before this letter reached André, the anxiety of Clinton to finish this negociation had induced him to send Beverley Robinson up the river in the Vulture sloop of war as far as Teller's Point, to seek an opportunity of communication with Arnold. Pretending to believe Putnam still at West Point, the emissary wrote a letter directed to *him* as commanding officer, but certain of being opened by Arnold. It expressed a desire to have an interview on private business. A flag was made use of to forward this design of treachery, and these letters (for there was an enclosure directed to Arnold, requesting the same favour of Arnold, if Putnam should be gone) were signed by Robinson ; and if intercepted would appear to relate to his former property in that part of the country, which was very extensive, and to other private affairs. The house in which Arnold resided had been Robinson's, but was confiscated to the state of New York, with the tract of land adjoining.

Arnold received Robinson's letter publicly, and communicated

the contents to those around him. Colonel Lamb remarked, that it was strange Beverley Robinson should open a correspondence with a military officer on a subject to which the civil authority was alone competent. This remark must have startled the guilty conscience of the traitor. But Robinson's intended interview was embarrassed by a circumstance known to Arnold, but not to the Colonel; which was, that General Washington would arrive at King's Ferry to cross the Hudson on his way to Hartford, and must of course know that a flag from the Vulture had been sent to Arnold just before his arrival. To guard against suspicion, as well as to meet and show respect to a commander whose confidence he was betraying, the traitor proceeded in his barge to meet General Washington and convey him to the east side of the Hudson. The Vulture was in full view of the barge in crossing, and it was recollected afterwards by the officers in the suite of the commander-in-chief, that while he was looking at the sloop of war through his glass, and speaking in a low voice to those around him, Arnold manifested uneasiness and emotion. Another circumstance was at a future time called to mind. Lafayette said in a tone of pleasantry, "General Arnold, since you have a correspondence with the enemy, you must ascertain as soon as possible what has become of Guichen"—a French admiral, whose squadron was anxiously looked for. Arnold hastily demanded what he meant?—looked confused—controlled the hasty impulse—and was relieved by the barge at the moment striking the shore.

He accompanied General Washington to Peekskill, and placed Robinson's letter in his hand. This was necessary to account for the arrival of the flag from the Vulture. The General advised him to avoid the requested interview, and remarked, as Colonel Lamb had done, that the subject of Robinson's property belonged to the civil authority of the state. After this decision, it would be too hazardous to meet the agent of Sir Henry, as had been intended. These events occurred on the 18th of September. What a day of wretchedness this must have been to the traitor! Fear of detection—suspicion that he was already detected, and permitted by the commander-in-chief to proceed only the further to entangle himself in his own snare—the most trifling event startled him—for "the thief does fear each bush an officer." *There is no peace for the guilty.*

When relieved from his immediate fears by the departure of Washington, an answer was openly returned to Robinson's letter by the flag boat. Arnold said that the general disapproved of the interview. But an enclosed letter made an appointment for the night of the 20th, when a person would be sent to Dobbs's Ferry, or "*on board the Vulture*" who would be furnished with a boat and a flag, and whose secrecy and honour might be depended upon.

He advised that the sloop of war should remain stationary. A precautionary postscript added that General Washington would be at West Point on Saturday next, and any matter communicated should be laid before him. A copy of the previous letter to André, appointing the time of meeting at Dobbs's Ferry was likewise enclosed, and all three were immediately forwarded by Robinson to his employer.

Sir Henry having received all this information, despatched André on the 20th of September, to Dobbs's Ferry, who in his way stopped at the Vulture, expecting that Arnold might himself come off to that vessel. At 7 o'clock on the evening of the 20th, he reached the sloop of war, but Arnold had already contrived another mode of meeting, and had made Joshua H. Smith his tool to bring it about.

We have already seen that Smith had been in the habit of conveying intelligence, as well as other profitable merchantable commodities from New York, and that Arnold had ingratiated himself with this man as one fit for his clandestine purposes. He now informed him that he expected a man from New York, with whom it was necessary to have a personal conference, and in a most secret manner; that this person must be conducted within the American lines, and a man of Mr. Smith's prudence and intelligence could alone manage so nice an affair. He persuaded Smith to consent that this expected messenger should be received at his house, and the important interview take place there. For this purpose, Mrs. Smith and family were, (under pretence of a visit to friends at Fishkill,) removed.

It was then arranged between Arnold and Smith, that the latter, should go on board the Vulture, or to Dobbs's Ferry, and convey the person expected, to the place of intended meeting. The quarter-master at Stony Point, had previous orders to supply Smith with a boat whenever required; and Arnold gave him the necessary passport, with orders for a flag, and such letters as would be understood on board the Vulture, or by the person expected.

Smith had relied upon one of his tenants as a boatman, but the man refused to go on a night expedition, for fear of the guard-boats. He was therefore, despatched with an express letter, to Robinson's house, to let Arnold know of the delay. This moved the general towards Smith's house early in the day, to concert further measures.

André, disappointed that Arnold did not meet him as he expected on board the English ship of war, wrote to his friend Clinton, and expressed his fears, that his frequent journeys up the river would lead to suspicions or discoveries. He therefore thought it best to remain for a time under *pretence* of sickness, in the hope that Arnold might find means of communicating with him. It was

his earnest wish to inform the traitor that he awaited him, and an opportunity presented the day after his arrival on ship-board.

A white flag was displayed at Teller's Point by some of the country people, which being interpreted *as they wished*, the captain of the Vulture sent off a boat with a flag, which was fired at as soon as it approached the shore. This gave André the opportunity he desired, as it was a proper subject for a remonstrance to the commanding officer, and a flag with a letter was accordingly despatched. The letter was dated on the 21st of September; it was in the hand writing of André, signed by the captain of the vessel, and countersigned "John Anderson." It may be remarked that the flag used by some ignorant boors as a decoy to their enemies, whose presence in an armed vessel annoyed and alarmed them, was considered dishonourable: but to use a flag for the purpose of basest treachery, by the accomplished and chivalrous gentleman, loaded with honours by the source of all honour—a king—was strictly within the rules of honourable warfare. This honourable flag, covering dishonourable treachery, was sent to Verplanck's Point, and Arnold, on his way to Smith's, arrived at that post, as the boat returned to the Vulture.

The letter was handed to him, and by him was fully understood; he therefore hastened to prepare Smith for a visit to the enemy's vessel on the approaching night.

Crossing from Verplanck's to Stony Point, he made all the requisite arrangements respecting the boat Smith would want, and then proceeded to his house to remove the difficulty which had occurred respecting boatmen. The guard-boats, which had frightened Smith's tenant from agreeing to accompany him, were always stationed to prevent communication with the shore when English vessels came up the river. These boats had now received orders not to stop Smith, and he possessed the countersign for the next night, which was "Congress."

In the evening, Smith brought his tenant, Samuel Colquhoun, to a conference with Arnold, who requested him to accompany his landlord on a visit that night to the Vulture. The man refused. He had the previous night rode as express to head-quarters—he wanted sleep—he would go by daylight, and with a flag, but did not like the night service. Arnold represented the necessity of bringing a gentleman on shore *that night* on business of importance to the country; and as a friend to the cause, urged Colquhoun to waive his objection. Smith joined in the same strain, asking the man if he did not think it his duty to oblige the General, for the good of his country, and especially as he, Smith, was ready to share all risks by going with him. Still the plain countryman objected. He did not like this business in the dark. Arnold assured him that the officers of the adjacent posts were informed of the

visit the boat was to make to the sloop of war—the quarter-master had provided the boat—the commanders of the guard-boats had due notice, and all was made safe. Colquhoun then said he could not row the boat alone. His brother Joseph was then mentioned, and Samuel sent for him. They, after conferring, both determined not to go.

After trying persuasion, Arnold used threats. He should look upon them as disaffected, if they persisted to refuse, and put them under arrest. They at length consented to obey his orders, and repaired to the place of embarkation. They were directed by Arnold to muffle the oars; and thus prepared, about midnight, the boat arrived at the Vulture. The noise made by the officer on watch and the sailors, in their hailing the boat, was heard below, and a boy sent up with orders that the man should be shewn into the cabin, supposing him to be Arnold. Smith descended, and found his old acquaintance, Beverley Robinson. A letter from Arnold was presented to the Colonel, in which he said, "This will be delivered to you by Mr. Smith, who will conduct you to a place of safety. Neither Mr. Smith nor any other person shall be made acquainted with your proposals, if they (which I doubt not) are of such a nature that I can officially take notice of them, I shall do it with pleasure. I take it for granted, Colonel Robinson* will not propose any thing that is not for the interest of the United States as well as of himself." Smith had likewise two papers, signed by Arnold, which he showed to Robinson—one, a permission to pass and repass with a boat to Dobbs's Ferry—the other, a "permission to Joshua Smith, Mr. John Anderson, and two servants, to pass and repass the guards near King's Ferry, at all times." By these papers, Colonel Robinson understood that Arnold expected André to come on shore. Smith was left with the captain of the vessel for about a quarter of an hour, when Robinson returned with a person whom he introduced as Mr. Anderson. He excused himself from going ashore, but *this person* would go in his stead, and was competent to the transaction of the business. André, although in his uniform, was so completely enveloped in a blue great coat, that Smith (if we believe his assertions) did not suspect his real name or character.

Smith and André descended into the boat where the Colquhouns awaited them. They were landed at the foot of a mountain called the Long Clove, on the western margin of the river, about six miles below Stony Point. The Vulture lay between the place and

* This gentleman had been proprietor and resident of the house occupied before his flight by Arnold as his head-quarters.

Teller's Point. Here Arnold was in attendance on horseback, with another horse brought by a servant of Smith's.

It was now perfectly dark, and Smith knowing the spot designated by Arnold, groped his way up the bank, and found the commander of West Point concealed among trees and bushes.* What a contrast does this form to the gallant soldier scorning the imbecility or timidity of Gates, and though deprived of legitimate command, leading the soldiers who hailed his appearance with acclamations, and followed him, on Behmus's Height, into the redoubts of the enemy. Here a sculking, sneaking conspirator, awaiting the approach of that enemy, to close a bargain for the lives and liberties of those soldiers.

Smith was sent back for his companion, and having introduced him, was requested to retire to the boat, where he remained, ill at ease and watchful, while the Colquhouns, conscience-free, slept soundly through the remainder of the night. The conference appeared unnecessarily long to Mr. Smith, and he retraced his way to give notice of the approach of morning, and the necessity of departing before daylight appeared.

The conspirators had exhausted the night, and their business was not yet completed. It was agreed that the boat should be dismissed, and sent up the river. André consented to mount a led horse brought to the Clove with Arnold, and to accompany him to Smith's house, there to remain through the day, and return to the sloop of war next night. It was still dark, and, as the British officer asserts, the voice of the sentinel demanding the countersign, was the first indication to the adjutant-general, that he was within the American lines. It appears strange that an officer having access to every source of information, and long contemplating this attempt, should be ignorant of the ground which the enemy's posts occupied, especially as he had been on board the Vulture in full view of the Clove, where he landed, and which was a considerable distance within those lines.

About the break of day, the conspirators arrived at Smith's house. He had proceeded with the boat to Crom Island, in Haverstraw Creek, and dismissing the Colquhouns, joined Arnold. To the alarm of the groupe, a cannonade was very soon heard, and from the window, André beheld that the Vulture was in peril from the guns, and saw her obliged to weigh anchor and stand down the river. In an upper apartment in Smith's house, the spy and the traitor, viewed this unexpected incident, and Sir Henry Clinton's adjutant-general, no doubt, felt for a time, that the net prepared for others, was closing around him. It is to be supposed, that the

* Smith's words are, "hid among the firs."

commander of West Point re-assured him, and after breakfast Smith left them to finish "the plot of treachery."

The details of this infamous proceeding, have not been fully brought to light. Sir Henry Clinton has said, in his letter to the English ministry, that he thought the plan of such importance, that it ought to be pursued "at every risk, and *any expense*." Arnold knew the importance of the post he was entrusted with, and of course stipulated for an adequate price. It is understood, that the day also was fixed. André was to return to New York, and the British troops (already embarked under the pretence of an expedition to the Chesapeake,) were to be ready to ascend the river. Arnold was to weaken the post of West Point by such a disposition of the garrison, as would yield it an easy prey to the troops brought against it.

Every preliminary was settled, and the spy furnished with all the papers explanatory of the condition of the post, and the manner in which its force was to be rendered unavailable, and its garrison betrayed to death or captivity. André required to be put in safety on board the *Vulture*: to this Arnold assented, and, although a different route was proposed, it appears from the following, (which André wrote after his capture,) that he supposed he was to be sent on board the attending sloop of war. His words are, "Arnold quitted me, having himself, made me put the papers I bore, between my stockings and feet. Whilst he did it, he expressed a wish, in case of any accident befalling me, that they should be destroyed: which I said of course would be the case, as when I went into the boat I should have them tied about with a string and a stone. Before we parted, some mention had been made of my crossing the river, and going another route; but I objected much against it, and thought it was settled, that in the way I came, so I should return."

Before Arnold left Smith's house, he urged him to go with André on board the *Vulture* as soon as it was dark; but as if to provide for obstacles, he sent two passes for Smith, the one a permission to go "with a boat, three hands and a flag to Dobbs's Ferry on publick business and return immediately," the other, to pass the guards to the White Plains and return. To this was added a third, as follows, "Head-quarters, Robinson's house, September 22d, 1780.—Permit Mr. John Anderson to pass the guards to the White Plains, or below, if he chooses. He being on publick business by my direction.—B. Arnold, M. Gen."

A miserable day was passed by the spy in solitude, and when evening came, Smith positively refused to go again on board the *Vulture*: neither had he engaged any person to row the boat. The reason he gave, was an attack of the ague, but this did not prevent him, as will be seen, from accompanying André on horse

back in his nocturnal journey, or from crossing the river with him. Smith's reasons for not taking the spy on board the sloop of war, have never been explained. We know that André was compelled to take the route Smith pointed out, which was to cross the river and proceed in the direction of White Plains. It had been settled between the two principals in the treacherous business, that, if the adjutant-general, should be obliged to return to New York by land, he should exchange his military garb, for a citizens dress. Accordingly Smith's clothes were made use of, and we must suppose, that this circumstance would make him suspect, if it did not make known to him, the quality of Arnold's mysterious visiter ; although it is pretended that the military habiliments of the spy, were represented to Smith as merely the consequence of Anderson's vanity, who, wishing to make a figure, borrowed them from an acquaintance. That Joshua was so credulous is not to be believed.

The uniform coat of the adjutant-general was left at Smith's house : and with a coat of Joshua's, covered by the dark great coat with a wide cape, and buttoned close to his neck, André was equipped for the journey. Accordingly, in the evening, he and Smith proceeded to King's Ferry. On the way Smith endeavoured to draw his companion into conversation, but without success. He was reserved and thoughtful. On the contrary, Joshua accosted several of his acquaintance on the road, and even stopped at a sutlers tent and joined in discussing a bowl of punch, while André walked his horse slowly to the ferry alone ; and there waited Smith's arrival.

As they passed through the works at Verplanck's Point, Smith rode up to Colonel Livingston's tent, while André and a servant who attended him, (a negro of Smith's,) rode on. To the colonel's enquiries, Smith said, he was going up the country, and took charge of letters for General Arnold and Governour Clinton. He excused himself from stopping, as a gentleman waited for him, whose business was urgent. He then overtook his charge, and they proceeded until between eight and nine at night, when they were stopped by a patrolling party, whose officer appeared suspicious, asked many questions and would not suffer them to pass until he had guarded them to an adjacent house, and read the talismanick pass of the commander of the district. All this was gall and wormwood to the spy, but Smith re-assured him, and, by lying with an impudent face, carried him through. The officer, although yielding obedience to his general's orders, was particularly inquisitive to know of Smith, what urgent business induced him and his companion to travel so late at night near the enemies lines ; expressed his fears that they would fall in with the Cow-boys ; who, he assured him, were out. These were the refugee plunderers, attached to the British part ; called themselves loyalists ; and were particularly active in

making prisoners of unarmed rebels, and carrying off rebel cows or any other article animate or inanimate, that might be turned to account in New York city. The Americans had a set of robbers near the British lines, who, were as notorious for licentious exploits as the cow-boys, and passed under the appellation of *Skimmers*. Westchester county lay between the lines of the two hostile armies, and was the field on which these worthies, whether loyal or patriotick, exhibited their atrocious dexterity.

To the queries of the captain, Smith answered that he and Mr. Anderson, were employed by General Arnold to meet a person near White Plains, who was expected to give intelligence of importance. Still Captain Boyd advised delay till morning. He represented the danger of travelling by night, so powerfully, that Smith was alarmed; but André, who had more fears of those who surrounded him, than of the refugee Cow-boys, insisted upon proceeding. Smith then consulted the American officer as to the safest road, and was told that the Tarrytown road was most infested by Cow-boys, but both exceedingly dangerous: his representations induced Smith to determine upon passing the night at the house of one Andreas Miller, and André, much against his will acquiesced. They were hospitably received, but could only be accommodated with one bed, and, according to Smith's account, his companion passed a weary and restless night. In this we may believe Mr. Smith.

André was first to leave the bed of thorns, as it must have proved to him. He roused the servant—ordered the horses—and by dawn of day the party took the road to Pine's bridge, which crosses Croton river on the way to North Castle. Being, as he thought, freed from the American patrols, André became cheerful and animated; astonishing his companion and guide by the sudden change in his character, from gloom and taciturnity, to gaiety and easy conversation. At Pine's bridge, Smith previously determined to leave Mr. Anderson, as the Cow-boys had recently been above, and the region below was considered as their appropriate domain. The travellers breakfasted on *suppaw* and milk at the house of a Dutch woman who had been plundered by the refugees, and then the guide left his charge, who heard of the marauding parties from below with more satisfaction than his companion.

Smith returned towards his home, but made a circuit and took Robinson's house in his way, that he might give Arnold an account of the progress Mr. Anderson had made in his return to the city.

The Spy had now to pass alone through the *neutral ground* as it was called, where the warfare of robbers prevailed, and where *Cow-boys* or *Skimmers* were equally feared by the inhabitants; but Mr. André had the American general's pass to produce to the one party, and his true character to protect him from the other.

Still he could not but feel that his situation was one of peril. The remarks he had heard from the captain of the patrol on the preceding night seems to have induced the adjutant-general to take the Tarrytown road as the one most frequented by the Cow-boys; for it was understood by Smith that he would proceed towards White Plains. Upon what apparently chance-circumstances the fate of individuals and armies, and states, appears to depend! Had this bearer of ruin to thousands proceeded on the road at first intended, he probably would have accomplished the treason in safety to himself: but a few words uttered at random by the American officer to Smith, respecting the danger of the road nearest the Hudson, determined the spy to turn that way as most frequented by his friends—and by that Heaven-directed *turn*, the impending ruin was averted and the lives of thousands saved.

From Pine's bridge the adjutant-general of the British army had proceeded about eleven miles, and approached within a few hundred yards of the Hudson without interruption, and probably felt himself beyond the reach of detection. About half a mile north of Tarrytown the road crosses a small brook. A few rods from this brook a period was put to the journey of the spy and the progress of the treason.

On this fated morning, seven of the inhabitants of this region had by agreement taken their arms and proceeded to the neighbourhood of this brook, and bridge, to prevent cattle from being driven towards New York; and to seize as legal prize, any such loyal cows or oxen as might be destined for his majesty's troops by their friends. Four of this band were stationed on a hill commanding a view of the road: the others, John Paulding, Isaac Van Wart and David Williams, were concealed by bushes very near the road.

At Smith's trial,* which was by a court martial, and commenced the day after André's examination, Paulding and Williams gave the following testimony. Paulding said,† “Myself, Isaac Van Wart, and David Williams were lying by the side of the road about half a mile above Tarrytown, and about fifteen miles above Kingsbridge, on Saturday morning, between nine and ten o'clock, the 23d of September. We had lain there about an hour and a half as near as I can recollect, and saw several persons we were acquainted with, whom we let pass. Presently one of the young men, who were with me, said, ‘There comes a gentlemanlike-looking man, who appears to be well dressed, and has boots on,

* See Spark's Amer. Biog. Vol. III, p. 223.

† See the trial and Smith's book, published in London 1808, called “An Authentic Narrative,” &c. &c.

and whom you had better step out and stop, if you don't know him.' On that I got up, and presented my firelock at the breast of the person, and told him to stand ; and then I asked him which way he was going. 'Gentlemen,' said he, 'I hope you belong to our party.' I asked him what party. He said, 'The Lower Party.' Upon that I told him I did. Then he said, 'I am a British officer out of the country on particular business, and I hope you will not detain me a minute ;' and to show that he was a British officer he pulled out his watch. Upon which I told him to dismount. He then said, 'My God, I must do any thing to get along,' and seemed to make a kind of laugh of it, and pulled out General Arnold's pass, which was to John Anderson, to pass all guards to White Plains and below. Upon that he dismounted. Said he, 'Gentlemen, you had best let me go, or you will bring yourselves into trouble, for your stopping me will detain the General's business ;' and said he was going to Dobbs's Ferry to meet a person there and get intelligence for General Arnold. Upon that I told him I hoped he would not be offended ; that we did not mean to take any thing from him ; and I told him there were many bad people, who were going along the road, and I did not know but perhaps he might be one."

Mr. Paulding said further, that he asked the unknown gentleman his name, and he answered "John Anderson,"—that on seeing General Arnold's pass he should have let him go, if he had not previously said he was a British officer ; and that when he pulled out his watch, he understood it as a confirmation of that assertion, and not as offering it to him. Mr. Williams confirmed the above statement, with these particulars :—

"We took him into the bushes, and ordered him to pull off his clothes, which he did ; but on searching him narrowly we could not find any sort of writings. We told him to pull off his boots, which he seemed to be indifferent about ; but we got one boot off, and searched in that boot, and could find nothing. But we found there were some papers in the bottom of his stocking next to his foot ; on which we made him pull his stocking off, and found three papers wrapped up. Mr. Paulding looked at the contents, and said he was a spy. We then made him pull off his other boot, and there we found three more papers at the bottom of his foot within his stocking.

"Upon this we made him dress himself, and I asked him what he would give us to let him go. He said he would give us any sum of money. I asked him whether he would give us his horse, saddle, bridle, watch, and one hundred guineas. He said 'yes,' and told us he would direct them to any place, even if it was that very spot, so that we could get them. I asked him whether he would not give us more. He said he would give us any quantity

of dry goods, or any sum of money, and bring it to any place that we might pitch upon, so that we might get it. Mr. Paulding answered, 'No, if you would give us ten thousand guineas, you should not stir one step.' I then asked the person, who had called himself John Anderson, if he would not get away if it lay in his power. He answered, 'Yes, I would.' I told him I did not intend he should. While taking him along we asked him a few questions, and we stopped under a shade. He begged us not to ask him questions, and said when he came to any commander he would reveal all.

"He was then dressed in a blue over-coat, and a tight body-coat, that was a kind of claret-colour, though a rather deeper red than claret. The button-holes were laced with gold tinsel, and the buttons drawn over with the same kind of lace. He had on a round hat, and nankeen waistcoat and breeches, with a flannel waistcoat and drawers, boots, and thread stockings."

North Castle being the nearest military post, the prisoner was escorted thither and delivered to Lieutenant-Colonel Jameson, the commander, with all the papers: 1st, The orders directing each corps where to be stationed on an alarm. By this the British would know how to proceed in the work of death without danger to themselves. 2d, An estimate of the garrison. 3d, An estimate of the number requisite to man the works. 4th, A return of the ordnance. 5th, Remarks on the construction of the fortifications. 6th, Information respecting the probable operations of the campaign as far as the traitor had been enabled to gain them. These papers in Arnold's hand writing were delivered to Jameson; he examined them, and one would think must have known for what purpose they were given to the spy; and yet he suffered himself to be persuaded by André, (who saw in it the only chance of escape,) to send him back to Arnold. The sapient lieutenant-colonel of dragoons wrote to the traitor a letter saying, that he sent to him "a certain John Anderson, who had been taken while going towards New York." "He had a passport signed in your name, and a parcel of papers taken from under his stockings, *which I think of very dangerous tendency.*" He described the papers and added that he had sent them to General Washington. It is only wonderful that he did not send them to Arnold.

Major Talmadge, who was second in command at North Castle, and had been absent when the spy was brought in, was astonished at the conduct of Jameson, and offered to secure Arnold, whose treason was palpable. This was not permitted: but at his earnest request the spy was remanded by an express sent after his conductors, but with orders for the officer of the escort to proceed with the letter to Arnold. The spy was brought back to North Castle, and for further security sent to

Lower Salem, the quarters of Sheldon the colonel of the regiment : but the *letter* went to warn the traitor of his peril.

André knowing that the papers taken on his person had been sent to General Washington, and of course that all hopes of escape or concealment were at an end, wrote a letter to the American commander-in-chief, which he handed open to Major Talmadge, under whose escort he had been guarded from North Castle to Salem. In it, he endeavours to excuse the duplicity of his previous conduct, and avows his name and station. He says, he came by agreement to meet *a person* “upon ground not within the posts of either army,” for the purpose of gaining intelligence. That without his knowledge he was conducted within an American post. That by a refusal to reconduct him back as he had been brought, he “*became a prisoner.*” That to effect his escape he quitted his uniform, and was taken at Tarrytown in disguise by some volunteers. He requests decency of conduct towards him, as an acknowledgment that he is “*branded with nothing dishonourable,*” because he was only serving his king. He requests permission to write an open letter to Sir Henry Clinton, and another to a friend for clothes and linen. He mentions certain gentlemen prisoners with the British, who “though their situation is not similar” may be exchanged for him or *treated* as he shall be *treated*.

Having written thus, the adjutant-general seemed to have convinced himself that he must be considered merely as a prisoner of war, and he became cheerful, and soon won the good will of the officers who had him in custody.

It is the momentous consequences that this affair involved, and not a participation in the fictitious admiration of this young gentleman, which was created principally to cast odium upon General Washington and the sacred cause of an insulted people, that has caused me to be thus particular. If Mr. André, instead of being honoured by a court-martial of general officers, had been executed as soon as detected, it is probable that his fate would have attracted much less of the sympathy that has been expressed. The claim to be considered a prisoner of war, taken in honourable service, and the official station of André, probably influenced General Washington’s conduct towards him, which was still more marked by the characteristick prudence and profound consideration for the publick good, which governed all his actions.

That Mr. André should not feel any kindness for his captors is easily imagined, and that a British officer would feel perfect contempt for mere cultivators of the earth, especially provincials, and therefore consider them as acting from motives purely mercenary, is highly probable : accordingly, he asserted his conviction that if he had had money to offer these young men as the price of liberty, when they stopt him, they would have let him pass : and Major

Talmadge, when a member of congress, thirty-four years after, expressed his conviction of the justice of André's opinion, without considering that by the laws and customs of the country, the money of the captive was already the property of the captors. André had declared himself to be a British officer when unexpectedly he encountered Paulding with a musket opposed to his passage: he doubtless took him for a Cow-boy; when he found himself mistaken, he presented Arnold's pass. The Americans had reason to believe him one of the traders who carried money to New York for illegal and selfish purposes, and as such, they knew their right to seize the treasure. They ripped the hangings of his saddle and the cape of his coat, as André asserted, in search of money, but perhaps for that which they found in his boots—the evidence of his true quality—that of a spy. If in search of money, it was their lawful prize. When this discovery was made, Mr. Williams, evidently to obtain further evidence of his real character, asked what he would give them to let him go. André offered to give them any sum of money or quantity of dry goods that they would name. This convinced the yeomen that he was not only a spy, but that his detention was of consequence to this country. "No!" was the reply, "not for ten thousand guineas."

That power which had frustrated the designs of Arnold, and decreed the destruction of Sir Henry Clinton's agent, for purposes beyond our ken, interposed to preserve the arch-traitor, Arnold, from immediate punishment. General Washington was on his way to West Point, and must have arrived at Arnold's head-quarters before the letter from Jameson, but that he was turned back by an accidental meeting with the French ambassador, who, having matters of importance to communicate, prevailed on the General to pass the night at Fishkill. The messenger who had been sent with the papers taken on André, missed the General, by taking a road different from that on which he was returning. Next morning he despatched his baggage to Robinson's house, with notice that the party would be with General Arnold to breakfast. When they arrived opposite West Point, the General turned from the direct road to Robinson's house, for the purpose of examining the works below, and two of his aids rode on to give Mrs. Arnold notice of his detention. Accordingly, the breakfast being ready, the aids sat down with Arnold and his family, but shortly a messenger entered with Jameson's letter, which was delivered and read in presence of the company. Arnold controlled his emotion, and told the company that his immediate attendance was required at West Point, desiring the gentlemen to tell General Washington that he was called over the river, but would immediately return. He went up stairs, sent for his wife, and after a short interview, descended, and mounting a horse which stood ready saddled at the door, rode

alone precipitately to the river. He heré entered the first boat found ready, and ordered the oarsmen, six in number, to push off and row for the Vulture, as he was going on board with a flag, and must be back to meet General Washington. Of course they obeyed, and he hastened them by a promise of two gallons of rum. As they passed the posts, Arnold displayed a white handkerchief, and without impediment reached his asylum. Here he exhibited a trait of baseness of so mean a character as can scarcely be believed, even of Benedict Arnold—the oarsmen had saved his life, and in return, he informed them that they were prisoners. They, or one of them, remonstrated, and said as they came under sanction of a flag, they were at liberty to return. Arnold insisted upon their remaining as prisoners. The captain of the Vulture, however, permitted one of the men to go on shore on parole and bring off clothes and necessaries. When they were taken to New York, Sir Henry Clinton, justly ashamed of the meanness and infamy of the transaction, liberated them.

General Washington having inspected the works below, arrived at Robinson's house very shortly after Arnold's precipitate flight, and taking a hasty breakfast, concluded to cross and meet him at West Point, and return to dinner. All the suite attended the General except Colonel Hamilton. On arriving at West Point, to the surprize of the commander-in-chief, no Arnold appeared or had there been heard of. The works visited, the General recrossed the river and soon after landing was met by Colonel Hamilton, who presented to him Andre's letter and the papers found on him when stopt at Tarrytown.

The mystery of Arnold's non-appearance at West Point, and the whole plot, were unravelled. Colonel Hamilton was despatched to Verplanck's Point to arrest the traitor, in case he should not have passed that post. This done, Washington communicated the papers to Lafayette and Knox, saying, "Whom can we trust, now?"

Every delicate attention was paid by the truly great man to Mrs. Arnold, who was in great distress, and *supposed* to have been ignorant of her husband's baseness.

When Hamilton arrived at Verplanck's Point, a flag was coming from the Vulture with a letter to General Washington from the traitor, which was immediately forwarded as directed, with one from the Colonel, mentioning the measures he had taken to counteract any movement of the enemy. But Sir Henry, by the arrival of the Vulture at New York, knew that his schemes were frustrated, and of course nothing of a hostile nature to be undertaken in this quarter.

The letter brought from the Vulture was to solicit protection for Mrs. Arnold and permission to go to Philadelphia or New York.

For himself, he said, "the heart conscious of its own rectitude," could not stoop to palliate an act which the world might think wrong. "Honour," and even "love of his country," as they had heretofore been ever in his mouth, were foisted into this impudent production of his pen. The redeeming parts were, consideration for his wife, and a declaration which he said he was bound in honour to declare, that his *aids-de-camp* Majors Varick and Franks, and Joshua H. Smith, were ignorant of his transactions with the enemy. The two aids demanded a court of inquiry, which was granted, and the result was in every respect honourable to both.

There came likewise from the sloop of war a letter, to General Washington from Colonel Beverley Robinson, little less extraordinary than that from Arnold: it was, in fact, a sort of demand for André's release, and represented him as a man going on shore with a flag of truce at the request of General Arnold, on *publick business*, and having his permit to return to New York. Under these circumstances, he said, Washington could not detain André without the greatest violation of flags, and contrary to the custom and usages of all nations.

It is needless to say, that such a letter had no weight with the American hero, whose first attention was to give such orders and directions as he thought necessary for the security of the garrison which had been thus bartered and sold to destruction, by the honourable transaction which a power beyond the control of man had frustrated. General Greene was ordered to move with the left wing of the American army towards King's Ferry. The necessary instructions were given to the officer commanding at West Point. Delicate and embarrassing as General Washington's situation was, not knowing who was, or was not, implicated in the treachery just brought to his knowledge, it only increased his vigilance; but in respect to the officers commanding all the posts in the vicinity, he acted as though his confidence was unshaken in them, and his reliance unbounded upon their honour and patriotism. To Jameson an order was sent for the immediate removal of the prisoner, under a strong guard, to Robinson's house, where he arrived on the morning of the 26th of September in custody of Major Talmadge. General Washington made many inquiries respecting the prisoner, but declined seeing him.*

Major Talmadge whose admiration of the handsome and accomplished prisoner appears to have influenced his opinions respecting the plain and unpretending virtues of his captors, has left an inter-

* André was taken over to West Point on the evening of the 26th, and remained there until the evening of the 28th of September, when he was removed under the guard of the same officer, first in a barge to Stony Point, and thence to Tappan.

esting account of his removal from West Point to Tappan, which Mr. Sparks has given in full as appropriate to his biographical work. When in the barge and on the Hudson, to inquiries of the American officer who had, while André was at Salem, become familiar with him, he answered that he was to have had the leading of a select body of troops, and pointed to the spot where he was to have landed, and described the route he was to have taken up the mountain to the rear of Fort Putnam, which, as every tourist now knows, commands all the area below. As he knew Arnold's disposition of the troops, he supposed that opposition on the American part would have been ineffectual, and that, sword in hand, he would have gained possession of the all-important key which commanded the northern continent, and the glory of the splendid achievement would have been his. To the question of the reward promised him, he talked of a course of military glory being what he wished, but owned that he was to have been made a brigadier-general. The glory of taking possession of a fortress that was already bought, and by agreement to be delivered into his hands by the commandant, is not so easily understood. The reward was certainly stimulating.

At King's Ferry they left the barge, and with an escort of cavalry proceeded to Tappan, where, by the commander-in-chief's orders, the prisoner was to be confined, but every civility accorded to him.

Joshua H. Smith, who, as Mr. Sparks remarks, "writes with much asperity against Washington and nearly all the American officers," says, that Major André was comfortably lodged, and every attention was paid to him suitable to his rank and character. Indeed, the youth and demeanour of the prisoner, operating with the detestation felt for Arnold, created an interest and sympathy which was shown and expressed universally by those whom his plans had doomed to destruction, for the reward of military promotion.

The contrast in the conduct and fate of Major John André and Captain Nathan Hale,* occurs to us in every stage of this business. The youthful patriot volunteered to risk his life to encounter death in its worst form, for the service of his country, without promise or wish for individual reward. He was detected—avowed his purpose and his rank—was turned over to the brutal provost, Cunningham—denied the privilege of writing to his relations—and amidst taunts consigned to the gallows which he had braved from the purest motives. His enemies felt no sympathy or pity; and when the author of the "Conquest of Canaan," years after, commemorated his virtues, it was to be asked, what was meant by "Hale, brave

* Ante p. 76.

and generous," and the English reviewers of the poem, not understanding that "Hale" was the name of an individual, censured the poet for his ignorance of grammar!

André was a hired soldier, belonging to an invading army, and in the transaction we are considering, did not intend to risk his life in any way, but in personal safety to bring about a great national injury, and sacrifice many lives—the victims of a treachery matured by him—and his reward was promised by his commander—he was to be while yet a youth, brigadier-general in the armies of a king. His treatment when the discovery was made of the long meditated mischief, and his person in possession of those whose injury was plotted, is notoriously a contrast to that inflicted on Captain Hale, and must occupy a few more lines before we return to Benedict Arnold.

On the 29th of September, General Washington having returned to head-quarters, summoned a board of general officers, (not as a court-martial) to enquire into the case of Major André, and report their opinion of the light in which he ought to be regarded and the punishment that should be inflicted.

Six major-generals and brigadiers met. General Greene acted as president. The papers above mentioned and two letters from Sir Henry Clinton and Arnold were submitted to them. Clinton requested that the *king's adjutant-general* might have permission to return to his orders, and Arnold assumed that as André had acted by his direction, he as commander at West Point was alone responsible.

When André was brought before the board of general officers, the president told him he was at liberty to answer any questions, or not, and might take his own time. He in a frank manner avowed the circumstances already known beyond contradiction—confessed that the papers shown to him had been concealed in his boots—acknowledged the pass given him by Arnold, as John Anderson—and when asked whether he considered himself as coming on shore under a flag, said "it was impossible for him to suppose so." He answered every question relative to himself freely. When asked if he had any remarks to make, he replied in the negative, and was remanded to his place of confinement.

The board reported, that, as a spy, he must suffer death. When informed of this decision, he asked permission to write to Sir Henry Clinton, which was granted. He informed him briefly of his situation—declared his gratitude for favours—requested his attention to his mother and sisters—acknowledged the great attention he had experienced from General Washington and all others—and concluded with assurances of respectful attachment.

This letter, with one from General Washington, and the proceedings of the board of officers, was sent to Sir Henry. The

American commander acknowledged the knight's letter, but gave his reasons for denying his request, as the king's adjutant-general had been taken when engaged in executing measures very different from the objects of a flag of truce, and such as a flag could not by any possible construction ever have been intended to authorize or countenance.

The final award for punishment or release yet remained with Washington. His duty was plain, and he never shrank from it: yet if the blow could be made to fall upon Arnold instead of André, it would be more consonant with his wishes. A formal proposition for such an exchange could not with propriety be made, but a plan was adopted by which to intimate to the enemy that if Arnold was surrendered to punishment, André should be released.

The General sent for Captain Aaron Ogden, and informed him that he had been chosen to carry despatches to the British post at Paulus Hook, which were to be conveyed to New York. The packet given to Ogden's care contained the letters above mentioned, and he was desired to call on Lafayette (commanding the troops nearest the enemies' lines) for further instructions. This was on the 30th of September.

The instructions of Lafayette were, that the captain should contrive to reach Paulus Hook so late, that he would be asked to stay all night. He was then to seek a favourable moment to communicate to the commandant of the post, or some of the provincial officers, as if incidentally, the idea about exchanging André for Arnold.

The scheme succeeded as was wished; and Captain Ogden was invited, as was expected, to remain all night with the British officer at the post, while the letters were sent across the river, and the boat with despatches from head-quarters should return. The treason of Arnold and the detection of André were the prominent topick of conversation, as everywhere, and the English commanding officer asked the opinion of Captain Ogden respecting the fate of the adjutant-general, and whether Washington would order his execution. The American answered that undoubtedly he would; that his army expected it, and justice to his country demanded it. The next question, as was anticipated, called forth the hint intended to be conveyed. "Can no method be thought of, to save Major André?" "Yes. And it is in the power of Sir Henry Clinton. Let him deliver up Arnold and take André in exchange." "Have you any authority for such an assertion?" "None, from General Washington; but I believe if such a proposal was made, it would be accepted. Major André would be set at liberty, and all America rejoice in the event."

Upon this, the officer left the supper-table, crossed to New York, had an interview with Sir Henry Clinton, and returned before

morning. He told Ogden that it could not be done: the commander-in-chief would not listen to the idea a moment.

When Sir Henry Clinton had perused the letters from André and the American commander-in-chief, he immediately called a council of general officers, and it was determined to send three persons of high standing to make such representations to General Washington as, it was hoped, might influence his determination in André's favour. These gentlemen were, General Robertson, (lately commissioned by Great Britain as the governor of *her province of New York*,) Andrew Elliot, Esq., in like manner appointed lieutenant-governor, and William Smith, the historian of New York, his majesty's chief-justice for the province, and brother to Joshua H. Smith, so prominent in this affair. They were accompanied by Colonel Beverley Robinson, and carried, most injudiciously, a long, impudent, threatening letter, from Arnold.

Notice of the intended deputation had been given to General Washington, and the commissioners found General Greene at Dobbs's Ferry, who let them know that only General Robertson would be permitted to land.

General Greene, after the usual compliments, informed Robertson that he was only permitted by General Washington to receive him as a private gentleman, and that the case of an acknowledged spy admitted of no discussion. The English general insisted that André landed under the sanction of a flag, and acted under the direction of Arnold: therefore could not be considered as a spy. Both these assertions had been under consideration by the board of American officers; and André had rejected the notion of his having landed under sanction of a flag. Greene said, on this head, Americans would believe Major André sooner than Benedict Arnold. Robertson asserted that no European military tribunal would decide as the American court had done, and proposed to leave the question to Generals Rochambeau and Knyphausen—thus avowing *that insolent claim to European superiority*, which had been so often put in practical operation while the United States were British provinces. The English general took his leave without obtaining any concessions from General Greene, but said he should remain on board the vessel in which he ascended the river until morning, hoping to take back with him Major André, or assurances of his safety.

Robertson despatched to Sir Henry Clinton his account of this conference, and mentioned that it was intimated to him by Greene, that if André were set free, it would be expected that Arnold should be given up, which he only replied to by a look of "indignant rebuke."

In the morning, General Robertson received a note from Gene-

ral Greene, saying that the determination of the commander-in-chief was not changed by the communication made to him of the conference. The commissioners returned to New York, but Robertson wrote a letter to General Washington, recapitulating the arguments he had used, under pretence that Greene's memory might not have served to convey them.

During his confinement, and at the hour of his execution, Major André evinced composure and firmness, which, with his character and amiable deportment, gained the respect, admiration, and sympathy of the American officers who were the witnesses—many of whom were to have been sacrificed by the completion of the plot concerted by him with Arnold. He was executed as a spy, at twelve o'clock, on the 2d of October, and buried near the gallows. His regimentals, in which he was executed, were given to his servant. More has been written and published about the death of this gentleman, than, perhaps, of all the brave spirits who were sacrificed by the swords of an army of mercenaries, employed by Great Britain to enslave these United States. The torrents of abuse poured upon Washington, for making this sacrifice to the safety of his country, and for suffering the due course of stern military law to flow regularly, are only to be equalled by the pure stream of gratitude which flowed in thanks and blessings from the hearts of his countrymen. The objections raised against his decision, by Englishmen, at the time, have been swept into oblivion by the verdict of that great tribunal, *the world*, and the praises of heroes, patriots, and philosophers, from that time to the present moment.

However anxious Sir Henry Clinton might be to save this young gentleman, (who was prompted to the course which ended in his death, by the persuasions and promises of his commander,) and however he may have complained in private of the pretended injustice of André's execution, he did not venture officially to censure the conduct of the American commander-in-chief. In his general orders he only says, "The unfortunate fate of this officer calls upon him to declare that he ever considered Major André a gentleman of the highest integrity and honour, and incapable of any base action or unworthy conduct." The manner of his death was not mentioned, nor any accusation made against those by whom he had suffered.

The captors of André were recommended by General Washington to congress, who, by a formal vote expressed a high sense of of their virtuous and patriotic conduct, and granted to each of them an annual pension of two hundred dollars for life, with the further compliment of a silver medal, for each, inscribed on one side "Fidelity," on the other "Vincit amor Patriæ."

Joshua H. Smith was tried by a court martial, upon a charge for aiding and assisting Benedict Arnold, etc., in a combination with

the enemy to take, kill, and seize, such of the loyal citizens and soldiers of the United States, as were in garrison at West Point and its dependencies." Smith drew up and read his own defence. He was acquitted. He confessed that he assisted Arnold; but it was not proved that he had any knowledge of his designs. Mr. Sparks says, "Although no one would be willing to condemn Smith upon the evidence adduced to the court, yet whoever reads it will be satisfied, that he could not have fallen into such extreme stupidity, as not to suspect something wrong in the business he was engaged in carrying on." The impressions against him are strengthened by his narrative, published in London, in 1808—a work unworthy of credit, where it rests on his own authority. It differs from the testimony on the trial, and from the defence he then made. Although acquitted by a court martial, General Washington thought proper to place him in the hands of the civil authorities of the state of New York, and he was confined at Goshen some months, from whence he managed to escape and took refuge with the British in New York. Much of his "narrative" is occupied with this escape. He was thus saved from personal dangers; but he found in the city of New York that his conduct was censured by the British and Tories as much as it had been without the English lines by the friends of his country.

Although I have already spoken of the contrast between the treatment of André and that of Hale, I cannot quit the subject without quoting from Mr. Sparks his view of the superiority of the motives which influenced the American over those actuating the English officer.

"Captain Hale was a graduate of Yale College, and had but recently closed his academick course when the war of the revolution commenced. Possessing genius, taste, and ardour, he became distinguished as a scholar; and, endowed in an eminent degree with those graces and gifts of nature which add a charm to youthful excellence, he gained universal esteem and confidence. To high moral worth and irreproachable habits were joined gentleness of manners, an ingenuous disposition, and vigour of understanding. No young man of his years put forth a fairer promise of future usefulness and celebrity.

"The news of the battle of Lexington roused his martial spirit, and called him immediately to the field. He obtained a commission in the army, and marched with his company to Cambridge. His promptness, activity, and assiduous attention to discipline, were early observed. He prevailed upon his men to adopt a simple uniform, which improved their appearance, attracted notice, and procured applause. The example was followed by others, and its influence was beneficial. Nor were his hours wholly ab-

sorbed by his military duties. A rigid economy of time enabled him to gratify his zeal for study and mental culture.

"At length the theatre of action was changed, and the army was removed to the southward. The battle of Long Island was fought, and the American forces were drawn together in the city of New York. At this moment it was extremely important for Washington to know the situation of the British army on the heights of Brooklyn, its numbers, and the indications as to its future movements. Having confidence in the discretion and judgment of the gallant Colonel Knowlton, who commanded a Connecticut regiment of infantry, he explained his wishes to that officer, and requested him to ascertain if any suitable person could be found in his regiment, who would undertake so hazardous and responsible a service. It was essential, that he should be a man of capacity, address, and military knowledge.

"Colonel Knowlton assembled several of his officers, stated to them the views and desires of the General, and left the subject to their reflections, without proposing the enterprise to any individual. The officers then separated. Captain Hale considered deliberately what had been said, and finding himself by a sense of duty inclined to the undertaking, he called at the quarters of his intimate friend, Captain Hull, (afterwards General Hull,) and asked his opinion. Hull endeavoured to dissuade him from the service, as not befitting his rank in the army, and as being of a kind for which his openness of character disqualified him; adding that no glory could accrue from success, and a detection would inevitably be followed by an ignominious death.

"Captain Hale replied, that all these considerations had been duly weighed, that "every kind of service necessary to the public good was honourable by being necessary," that he did not accept a commission for the sake of fame alone or personal advancement, that he had been for some time in the army without being able to render any signal aid to the cause of his country, and that he felt impelled by high motives of duty not to shrink from the opportunity now presented.

"The arguments of his friend were unavailing, and Captain Hale passed over to Long Island in disguise. He had gained the desired information, and was just on the point of stepping into a boat to return to the city of New-York, when he was arrested and taken before the British commander. Like André, he had assumed a character, which he could not sustain; he was "too little accustomed to duplicity to succeed." The proof against him was so conclusive, that he made no effort at self-defence, but frankly confessed his objects; and, like André, without further remarks "left the facts to operate with his judges." He was

sentenced to be executed as a spy, and was accordingly hanged the next morning.

“The sentence was conformable to the laws of war, and the prisoner was prepared to meet it with a fortitude becoming his character. But the circumstances of his death aggravated his sufferings, and placed him in a situation widely different from that of André. The facts were narrated to General Hull by an officer of the British commissary department, who was present at the execution, and deeply moved by the conduct and fate of the unfortunate victim, and the treatment he received.

“The provost-martial was the noted brutal bully Captain Cunningham; who refused the attendance of a clergyman, the consolation of a Bible, or the privilege of writing to his mother.

“Alone, unfriended, without consolation or sympathy, he closed his mortal career with the declaration, “that he only lamented he had but one life to lose for his country.” When André stood upon the scaffold, he called on all around him to bear witness, that he died like a brave man. The dying words of Hale embodied a nobler and more sublime sentiment: breathing a spirit of satisfaction, that, although brought to an untimely end, it was his lot to die a martyr in his country’s cause.

“There was a striking similarity between the character and acts of Hale and André, but in one essential point of difference the former appears to much the greater advantage. Hale was promised no reward, nor did he expect any. But André had a glorious prize before him; the chance of distinguishing himself in a military enterprise, honours, renown, and every allurement, that could flatter hope and stimulate ambition.”

A monument was raised to André in Westminster Abbey. The memory of Hale long appeared to be lost. Dr. Dwight first did justice to his virtues; other writers have examined and applauded his self-sacrifice, and at length the name of Captain Hale is engraved by gratitude upon the hearts of his admiring countrymen.

Sir Henry Clinton, even after the return of his envoys, wrote another letter to General Washington, in the apparent hope of saving his young favourite; but before it was sent the servant of André arrived in the city, and the fate of his master was fully known. To Lord George Germaine, the British commander detailed all the circumstances of the transaction: the commission of the sufferer was sold, as he had requested, for the benefit of his mother and sister. They were recommended to the king for his favour; who granted a pension to the mother, and offered *knight-hood* to André’s brother. This was certainly commendable; but the honours flowing from the *reputed source of honour*, to Arnold, appear more questionable. The traitor was caressed openly as a person of worth, integrity and honour. He was made a brigadier-

general in his majesty's service, and with his majesty's pay promoted to the command of armies. The price stipulated to be paid for his treason, the British general of course was bound to pay ; but it appeared very extraordinary, that a wretch who had been bought by gold to betray to death those he was sworn to protect, should be entrusted with the fortunes and lives of his majesty's officers and soldiers, whose safety was confided to the English commander-in-chief. Sir Henry paid the traitor £6315 sterling : and he was ranked as a brigadier-general ; but I shall show that he *did not* confide to him the welfare of those he was appointed to command ; his powers for destruction were only allowed free scope when exerted in the unnatural business of burning the dwellings and shedding the blood of his countrymen : spies were placed over him, to arrest his arm the moment he was even suspected of intention to injure the power to whom he had sold himself.

Scarcely had Arnold arrived among his new friends, when he published an address to his betrayed countrymen, and a proclamation inviting his former military associates to follow his example.

To comment upon these publications at the present day seems unnecessary : at the time of publication they only excited the sneers of the traitor's pretended friends, and the disgust of his country. Yet the British ministry seemed to think the offers of the traitor would have effect with the American army, and prescribed the rewards that might be paid by Sir Henry Clinton to those who should desert from the standard of *Washington* to that of *Arnold*. Some few were found base enough to make such an exchange for the sake of ten *hard* guineas ; but they were not native Americans, or *if such*, were not worth retaining by the one, or being received by the other, though assimilated to him by debt and depravity.

It appears that the British ministry had confidence in the assertions and representations of Arnold, although Sir Henry Clinton had none in his integrity.

Though Arnold had continued true to the flag which had purchased him, and did all possible mischief in Virginia, his disposition to falsehood manifested itself in his letters to Lord George Germaine ; which pointed out the ease with which West Point might be taken by a coup-de-main, or " a few days regular attack." The British minister relying upon his new auxiliary, wrote to Sir Henry Clinton, expressing some degree of surprise that he had not achieved so important a conquest, which was so easy of accomplishment. By the minister's letter, the English commander knew the danger he incurred from the pen of the ex-rebel-general. He in his answer, told the minister that Arnold had never represented the post in question as of so easy acquisition ; but if he will

now convince him that it is so, he probably shall make the attempt. "I have therefore" he continues, "required that general officer to send his plan of operation to me without delay, and to follow or accompany it himself."

It appears strange, that Sir Henry Clinton should entrust a traitor with the lives and liberty of armies as he did. But I have been assured by a gentleman of the most unblemished character, now far advanced in years, that when Arnold departed from New York in the command of the army with which he committed depredations in the Chesapeake, "a dormant commission" was given to Colonels Dundas and Simcoe, jointly, by Sir Henry Clinton, authorizing them, if they suspected Arnold of sinister intent, to supersede him, and put him in arrest. This proves that Clinton did not trust him, and we may reasonably suppose that such a watch was set upon his conduct on other occasions.

The gentleman who communicated this fact to me, was in his youth a confidential clerk in Sir Henry Clinton's office, and copied and delivered the dormant commission as directed. This explains a passage in Clinton's letter to his government, in which he says, "this detachment is under the command of General Arnold, with whom I have thought it right to send Colonels Dundas and Simcoe, as being officers of experience, and much in my confidence.'

CHAPTER XIV.

Champe's Adventure—Indian Warfare—Fate of Huddy—Further History of Ethan Allen—New Hampshire Grants—Controversies with Vermont—British attempts to seduce Vermont—Independence of Vermont recognized.

SERGEANT CHAMPE'S adventure, as told by Major Henry Lee,* seems to belong to the treason of Arnold :

While the fate of André was still in suspense, General Washington determined, if it was possible to get possession of Arnold, he would make *him* the victim, and use his influence to spare the life of the young officer who had placed himself in the situation of a spy. He sent for, and consulted Major Lee. The plan proposed was, for a trusty and intelligent man to present himself as a deserter to the enemy, and enlist in the corps that was then forming under Arnold's particular patronage; and then by the aid of certain persons in New York with whom Washington corresponded, to seize the traitor, and bring him off to a party on the west side of the Hudson, who should be ready to receive him. Lee mentioned the sergeant-major of his legion as being a man fit for the enterprize, but feared that his sense of honour, and the expectations he had of receiving a commission, would prevent his consenting even to *appear* in the character of a deserter. The general commissioned Lee to give assurances that he would stand between the sergeant and disgrace, and advanced every argument that could be suggested to engage him in the enterprize. Lee departed, furnished with full instructions, and letters to the agents in New York who were to join in the attempt. After a long conference with Champe, the major prevailed upon the sergeant to undertake the execution of the scheme; and as no time was to be lost, he immediately prepared himself and his horse for the perilous expedition. Champe entered into the plan, as it proved, with all his soul. That very night, having made himself master of Washington's instructions, (one of which was in no case to take the life of Arnold, as that would be interpreted assassination, whereas a solemn sacrifice of the criminal was the object to be attained,) he a little before

* Memoirs of the war in the Southern Department.

midnight withdrew his horse from the picket, and with his cloak, sword, valise, and orderly book, mounted to pursue his way to Paulus Hook, by such routes as his experience suggested to be best for avoiding patrol or scouting parties. Scarcely half an hour had elapsed, when Lee's lieutenant brought him information that a patrol had fallen in with a dragoon, who on being challenged had clapped spurs to his horse and escaped. The subaltern was all impatience for orders to send off men in pursuit, and the major tried by every device to delay such an unwelcome procedure. He feigned the dulness of a man awakened from sound sleep, although his anxiety had prevented any approach to that state; he affected to believe that it could not be a dragoon; or if one, that his intention was not desertion. The lieutenant pressed the matter—paraded the troop, and showed that one was missing, and *that one* Sergeant-major Champe. "I have ordered a party for pursuit," added the zealous officer, "and they only await your orders." Lee delayed as long as possible; but orders must be given, and the dragoons were spurred on to overtake the supposed deserter by every motive which the honour of the corps could suggest. The leader of the pursuers was nominated by Lee; he was sent for and received his orders. This was a young cornet. Off the party dashed, leaving the major in a state of extreme anxiety. About three o'clock in the afternoon, Lee was called from his tent by the shouts of his soldiers, and he saw the cornet approaching with his party, one of the dragoon's leading the sergeant-major's well-known horse, with his cloak, sword-scabbar, and other accoutrements. That Champe was dead, and that he had occasioned his death, was the heart-rending thought this appearance suggested to Lee. The cornet reported that they had traced the deserter during the night by the marks of his horse's shoes, left on the road, owing to a recent shower of rain. (The shoes of the dragoon horses were unlike others.) That at daybreak he continued with more speed in the chase, and as he approached Bergen, gained sight of Champe, who likewise saw his pursuers. At the village of Bergen, the sergeant-major, after riding through several devious streets, took the road to the right, determining to make for some British galleys that he knew were stationed near the shore, and not approach Paulus Hook, as was at first intended. This change of course baffled the cornet for a time; but gaining information from a countryman who had seen a dragoon spurring out of the village, the party again pushed forward upon the track of the fugitive. When in sight of the galleys, Champe made a halt, tied his valise (which contained the orderly book, his clothes, money, etc.) to his shoulders, drew his sword, and again spurred for the shore. This momentary halt brought his pursuers within a few hundred yards of him. When near the marshy edge of the water, the sergeant dismounted, rushed

through the sedge, threw himself into the water, and called on the galleys for help. A boat was launched to receive the deserter, (as no one could doubt him to be,) and some guns were fired to keep off his pursuers. The report of the party who had returned with the sergeant-major's horse, cloak, scabbard, and accoutrements, eased Major Lee of his apprehensions for the safety of Champe.

The account given by the commander of the galleys of what he had witnessed, would be an ample credential for the sergeant. He was examined by Sir Henry Clinton, received with favour, found an opportunity to communicate with the agents of Washington, residing in New York ; and to further the plan, enlisted in Arnold's legion.

One of those to whom Champe was introduced, prepared every thing for seizing and carrying off the traitor ; Champe communicated his progress to Lee, who, by the general's orders, prepared to receive Arnold. In the mean time, André was condemned and executed. Therefore the only end in view by the capture of Arnold was his punishment. Champe gave notice to Major Lee, that being appointed one of the recruiting sergeants for Arnold's legion, he had every necessary opportunity for the execution of the plan. Adjoining to the garden of the house in which Arnold resided was an alley ; and by removing some of the palings, and replacing them in apparent security, the conspirators were to enter, guided by Champe, seize their intended victim when he returned, as was his invariable custom, at midnight, from his visits of business or pleasure, and retire to the garden. They were to gag him, carry him off through the alley, and to a boat prepared and lying at a wharf on the north river. If questioned, they were to represent him as a drunken soldier whom they were conveying to the guard-house. Washington ordered Lee to be ready on the opposite shore to receive Arnold, and prevent any personal injury to him. The major repaired at night to the appointed place, with a party of dragoons. Hour after hour passed, but no boat approached. The day broke, and with the led horses prepared for Champe and his prisoner, Lee returned to camp. In a few days he was informed by the agent in New York, that on the day previous to the appointed night, Arnold had removed his quarters to be near the place of embarkation for the expedition to the Chesapeake ; and that the legion, to which Champe was attached, had been shipped among the first of the troops, for fear of the men deserting. Thus the sergeant-major was entrapped, and instead of crossing the Hudson with his general as a prisoner, was carried off to Virginia, and employed in warfare against his countrymen. From this unwelcome service he found means to free himself, and when Lee's legion was acting against Cornwallis in the south, the sergeant-major most unexpectedly joined his old comrades ; and the mystery of his flight,

with the whole story, being soon known, he was received by the corps with applause and welcome.

After the treason of Arnold, the military transactions of the war were principally transferred to the south. General Gates, at Camden, lost an army and his reputation. Daniel Morgan became a general, and famous for the defeat of Tarleton, at the Cowpens, and Washington terminated the war, in fact, by the surrender of Cornwallis and his army, at York, in Virginia. General Greene took the place of Gates, who was doomed to a court of enquiry, which was never held; but General Washington restored him to his command and rank, as oldest major-general.

1780 At mid-summer, in 1780, Brandt, the Indian chief before mentioned, with a body of Tories and Indians, laid waste the district of Canajoharie, at a time when the militia were on service at Fort Schuyler. Sir John Johnson wreaked his vengeance on Schoharie, which he burnt, and with his savages on the 18th of October, laid Caughnawaga in ruins, sweeping with the besom of destruction the valley of the Schoharie Creek. Johnson passed up the north side of the Mohawk, burning all in his course. General Van Rensselaer, who commanded in this district, ordered out Colonel Brown with his militia; but they were not in sufficient force to withstand the enemy, and the colonel, and thirty of his men, fell in the attempt. Johnson took post near the Mohawk castle, or village, and fortified the spot, by a breastwork thrown across a neck of land, in part surrounded by the Mohawk River. Here he placed his regiment of regulars and Tories. His Indians occupied an elevated wood, in his neighbourhood. General Van Rensselaer attacked the Indians, drove them from their cover, and they fled towards the Susquehanna. Johnson's troops resisted until night, and under its cover they escaped from the intended attack of the next day.

Johnson and his Tories, Indians, Canadians, and Englishmen, in October, 1780, left the vale of the Schoharie Creek, strewn with the wrecks of a happy population, notwithstanding the brave resistance of the inhabitants, who in many encounters with these savages displayed a courage worthy of the cause they fought in—the cause of *humanity*.

1781 Early in 1781, while yet the country was covered with snow, the enemy succeeded in capturing several of the garrison of Fort Schuyler, and Major Nicholas Fish, one of our very worthy citizens, but lately deceased, by great efforts succeeded in relieving the garrison. In July, Colonel Marinus Willet commanded at this fort. A party of three hundred Indians and Tories, led by one John Doxtader, were scouring the Mohawk valley, and had even burned a village within a short distance of Schenectady, when Willet, ever prompt, and active, having by his scouts learned their number and situation, marched with one hundred and six men, during a dark night, to the vicinity of the enemy's camp, which was

in a thick swamp near Cherry Valley. Major McKean joined Willet with thirty men; and they came in sight of the swamp about daybreak. Colonel Willet drew up his party in two parallel lines, and ordered them to conceal themselves behind trees. Major McKean occupied the right, and Willet, with one hundred men, the left of the line. Two men were sent to pass over an open piece of ground as a decoy, with orders when discovered by the enemy, to run in between the two lines. The plan succeeded. The Indians raised their war cry and pursued the fugitives; but as they approached the ambush they were received by a deadly fire from right and left. They retreated, and betook themselves to trees for shelter; but Willet now ordered a charge with the bayonet, and, waving his hat with a *hurrah*, led on his men, driving the savage foe through the encampment, which, with all their recently accumulated plunder, fell into the hands of the victors. The enemy was pursued toward the Susquehanna.

Marinus Willet was for a time mayor of the city of New York; and when in advanced life he could be induced to speak of Indian warfare, the old man would say, "there is nothing like encouraging your men with a hurrah; I was always good at a hurrah:" and he was a soldier that not only cheered his men, but led them. About a month after this, a party of British, Indians, and Tories, penetrated from Canada, and encamped in the neighbourhood of Johnson Hall. It was about a mile from the village of Johnstown, to the north. Colonel Willet marched from his garrison with three hundred men, on the 22d of August, determined to attack the invaders, although they amounted to at least six hundred, under the command of Major Ross, and the savage, Walter Butler. Ross advanced from his encampment with all his force, and met Willet with only two hundred men, he having detached Colonel Harper to make a circuit through the woods, and fall on the enemy's rear. At the first fire from this superior force, Willet's men gave way, and fled to the hall, where he endeavoured to rally them, but in vain. They retreated to the village, and here he was joined by a body of two hundred militia. In the mean time, Harper had gained the rear of the enemy, and commenced an attack. Willet now advanced, and routed the barbarians, who were pursued through the wilderness for miles. The murderer of Cherry Valley, Walter Butler, was killed by an Oneida Indian during the pursuit. A party of this tribe (which had been uniformly on the American side) had joined in pursuing the routed enemy; and Butler, on horseback, reached the West Canada Creek, and swam his horse over. One of the Oneidas was on the bank opposite to Butler, when he turned and defied his pursuers. The Indian discharged his rifle, and the murderer fell. "Throwing down his rifle and blanket," says Mr. Campbell, "the Indian plunged into the

creek and swam across; he raised his tomahawk, and with a yell, sprang, like a tiger, upon his fallen foe; Butler supplicated for mercy; the Oneida with uplifted weapon shouted in broken English, 'Sherry Valley! Sherry Valley!' and then buried his tomahawk in the brain of his victim. The place is called Butler's ford to this day."

1782 During the year 1782, and for some time after, Washington was obliged to appear with great severity, to do justice to the fate of Captain Huddy.

The province of Connecticut possessed great advantages, in having a governour of her own choice, and other officers, instead of being like New York and New Jersey, ruled over by men appointed by England. The evils Connecticut experienced during the war, were from open hostility and invasion; her towns were burnt in common with those of other states, and her brave sons fell in battle as elsewhere; but they were united. Their governour and magistrates directed their actions as they had done before the contest commenced: which the magistrates placed over New Jersey and New York by England, raised the torch of discord among the inhabitants of those states, and with the cry of "loyalty" and "government" in their mouths, encouraged all those atrocities which make the sanguinary struggles of civil war so peculiarly disgusting. Tryon, of New York, and Franklin, of New Jersey, by encouraging England with false representations, to commence and continue the war, stirring up the tories, and arming neighbour against neighbour, were the causes of scenes at which humanity revolts. Besides the corps raised by Delancey and Skinner, there were bands called "Associated Loyalists," who were under the direction of a "Board," of which William Franklin was the president. These banded tories were even more lawless and ferocious in their predatory warfare than the "new corps," and were held in greater detestation by their former neighbours. They had fled from their homes, seduced by the king's troops, and found themselves deprived of property, disappointed in their hopes, considered as traitors by their early associates, and as inferiours by their English friends. They had received and inflicted personal injuries; and the bitterness of warfare was increased by every selfish and malignant passion.

Huddy early in the war took up arms for his country. In the course of the contest he had assisted in apprehending traitors who resided among the people, and acted as emissaries of the enemy; and he avowed that in one instance he had assisted at the execution of a man legally condemned for treason. In the spring of 1782, Captain Huddy was stationed for the defence of a place called Tom's river, and had command of a few men, and an unfinished rude blockhouse. He was attacked by a very superiour party of

refugees, or loyalists, sent from New York to destroy this post, which was in the way of their plundering expeditions. Huddy and his small garrison defended themselves bravely, but in vain; they were overpowered, part killed, and the remainder, with the captain, taken to New York. This was in the month of April. After one night's confinement in the "main guard," (that is the dungeon or prison of the City hall in Wall street,) the prisoners were crowded into the Sugar house. But it appears that in this place they were not so completely under the control of Franklin, and the "Board of Associated Loyalists," and were therefore removed to the Provost. Here they were in the power of the brutal Cunningham.

During his confinement a party of refugees had been made prisoners, and one of them (Philip White) attempting to escape from the horsemen who guarded them, was killed. This was represented in New York by the enemy as an intended and barbarous murder, and seems to have given rise to the determination of Governor Franklin and his associates. A captain of refugees, named Lippincot, was found ready to execute the designs of the board of loyalists, even without a written order from Franklin; it appearing that the prisoners had been before given up by Captain Cunningham to the ex-governor's agents, on an order from the secretary of the board, with very little ceremony, and no reluctance.

While Huddy rested as content as his fellow prisoners, in the Provost, he was demanded by Lippincot, delivered up with two others by Cunningham, put on board a vessel, irons screwed to his hands and feet, and on asking the reason of this treatment, he was told that they were taking him down to the Hook to be hanged. He was received on board a British armed vessel, until Lippincot had made his arrangements. A British commander in his majesty's navy furnished the rope. This prisoner of war was taken on shore, a gallows was prepared, under which he was placed on a barrel, and a negro performed the part of executioner, under direction of Lippincot. The barrel was knocked away, and the body of Huddy, who died, as they said, "like a lion," left for the contemplation of his neighbours, with a paper affixed to it, which had been prepared before Lippincot received his orders from the board of associated loyalists. "Up goes Huddy for Philip White."

This atrocious murder caused a demand from General Washington that the perpetrator should be given up; and a notification that if this justice should be refused, a prisoner of equal rank with Huddy must be sacrificed, to prevent a recurrence of such disgraceful acts. In consequence of this demand, Lippincot was confined under the care of his friend Cunningham, tried for the murder, and acquitted. It appears that he was considered to be authorized by the orders of Franklin and the board of loyalists.

A bold party, headed by Captain Hyler of Brunswick, determined to seize Lippincot, even in the heart of the garrison of New York. They ascertained the place of his residence, which was in Broad street, and disguised as English men-of-war's-men, they embarked near the Hook, landed boldly in New York, and proceeded to the house of their intended victim ; but they were disappointed. The refugee captain was absent, gambling at a cock-pit. The party, of course, could not attack him there, nor remain long in their perilous situation ; but returned safe and undiscovered.

The demand of General Washington not being complied with, all the captains of the British army who were prisoners of war were brought together, and required to draw lots to determine which of them should die. The lot fell on a youth of nineteen, a favourite among them all, and every eye, British or American, was filled with tears, as the young victim recognized his doom. His name was Asgil. Great intercession was made to save this young man ; and as, happily, the termination of the war was known to be near, he was spared.

There is a mysterious atrocity brought to light by the trial of Lippincot, which, if it had not been published by the honourable men who composed the court, all English officers, or Americans in the service of England, I could not have believed. It appears that William Franklin, as chief, or president of the board of associated loyalists, had authority from some quarter (or he knew that he would be upheld by some supreme power in so doing) to take from the provost-marshal any prisoner he chose, and commit him to men who were ready to obey the ex-governour of New Jersey, in any act of murder. The testimony of Cunningham, and others, received and believed by the court, proves this. And although there is no proof adduced on this trial (and probably it would be avoided) that others were murdered as Huddy had been, but with less publicity, it is difficult not to infer that such had been the case. That Franklin and the board of refugees had this power, is proved ; that it was exercised on Huddy is undeniable ; and that neither Franklin, nor any other of his confederates, was called to account for it.

The mysterious movements of the British on Lake Champlain, and of Ethan and Ira Allen with others in respect to Canada, kept the state of New York in constant agitation, until the New Hampshire grants became by interference of Congress, and reluctant consent of New York, the state of Vermont. Ethan Allen is so mingled with all these transactions, that I must give an account of him from the time he was a prisoner to the enemy.

We left Mr. Allen on board of a British vessel, and in irons, by

order of General Prescott the commandant of Montreal, after the failure of the rash attempt on that place in September, 1775.*

It was in vain that Allen remonstrated against such unworthy treatment, and contrasted it with the manner in which he had behaved to the officers made prisoners by him at Ticonderoga. Prescott saw in those officers, the servants of his most gracious majesty, grossly injured, by being deprived of their garrison and liberty : in Allen, he only beheld a daring rebel and traitor—a pitiful provincial American. The British general did not deign to answer the call of the rebel for humanity, and Allen remained in irons, handcuffed and shackled, thrust into the hold of a vessel, with a chest for his bed, which was furnished by the humanity of one of the crew, but even on that, his massive chains, and the bar of iron to which they were attached, would not permit him to rest in a posture which nature requires.

For five weeks, Allen and his companions in captivity, remained thus, all treated as condemned criminals. The approach of Montgomery, caused the removal of Allen with his floating dungeon to Quebec ; and being transferred to another vessel, he found in the captain, a gentleman. Captain Littlejohn ordered the irons to be struck off, and admitted him to his table.

This respite was short. Arnold appeared in the neighbourhood of Quebec, and Montgomery having captured Montreal, was descending the St. Lawrence. Allen was transferred to a despatch vessel destined for England, and placed under the guardianship of Brook Watson.

This wretch (his subsequent riches and the honours showered upon him by those he served, do not render the term inapplicable,) was a New England adventurer, who, under the mask of patriotism, ingratiated himself with the leaders in opposition to the designs of Great Britain, and having obtained such knowledge as he thought would entitle him to payment for the communication, fled to Montreal with his intelligence, and openly declared himself an enemy to his country. He was rewarded by the ministry, with the post of commissary-general to the British armies in America, and I well remember him on his return to America in office, parading the streets of New York in scarlet, at the same time with Arnold, and in the same blushing colours. He was subsequently lord mayor of London, and a member of the British parliament, where he made himself memorable by his argument in favour of the slave trade, giving as a reason for its being continued and cherished by Great Britain, that the abolition would injure the market for the refuse fish of the English fisheries, they being purchased as food for the English slaves, in their West Indies.

* Ante, p. 13—I refer the reader to Spark's Life of Allen, (Am. Biog. Vol. 1,) *passim*.

To this enemy of God and man, was Allen consigned, and he found from him such treatment as might be expected. His handcuffs were replaced, and with thirty-three Americans, manacled in the same manner, he was confined in one loathsome *pen*, for forty days, during the passage of the vessel. On entering the harbour of Falmouth, these thirty-four Americans were permitted to see the light of day, and breathe the air of heaven, by being for the first time, brought upon deck.

The dress in which Allen was taken prisoner, and which had undergone no change except from hard usage, and long confinement, is thus described. "While in Canada, he had clothed himself, in a short fawn skin, double breasted jacket, a vest and breeches of sagathey, worsted stockings, shoes, a plain shirt, and a red worsted cap." Thus arrayed, he was marched from Falmouth, with his companions, to Pendennis Castle, affording a spectacle to the crowds that followed, and who doubtless received and propagated the description of an American, from that exhibition.

In their new prison, they found themselves comparatively comfortable. They were still in irons, but they had airy room, straw, and good food. The fame of Allen as the conquerour of Ticonderoga, had gone before him, and although it had operated upon General Prescott and Brook Watson, as an incentive to cruelty, brave men were wrought upon to admire the daring achievement, and to honour the hardy leader: the commander of Pendennis, sent him breakfast and dinner from his own table, and his suppers were supplied by another admirer. He was allowed to walk on the parade ground within the walls, and many visited him to enjoy the contrast between his savage dress, and his bold, fluent, and energetick language, conveying to them information of a country to which they were strangers, except as the atrocity of rebellion against England had made them known. Allen was not at his ease respecting the fate Prescott had promised, and made use of a stratagem to convey to the British government, a hint that retaliation might be the consequence of putting him to death as a rebel. He asked permission to write to the continental congress: which being granted, he handed to the guard a letter, in which, he advised congress of the treatment he had received, but requested that no retaliation should be inflicted on British prisoners in their power, until his final destiny should be known; but then to retaliate according to the importance of the American cause.

This letter, as he designed, was sent to Lord North; and whatever effect it may have had, it was soon apparent that chains and death could not be resorted to as punishments for the prisoners taken in arms resisting the forces of England in America. It was determined to treat Allen and his companions as prisoners of war,

and their irons being removed, they were sent on board the *Soleby* frigate, to be sent back to the rebellious colonies. The captain of this ship, ordered Allen below, telling him the deck was the "place for gentlemen to walk." In the cable tier he was confined, part of the time sick, but by boldly appearing on deck, and claiming the privilege of a gentleman from his rank, and the captain's declaration, he was allowed to breathe the air again. In the *Soleby*, he was carried to Cork, and as soon as it was known that he was in the harbour, he, and his companions in captivity, experienced the generous sympathy of the gentlemen of Ireland. Clothes for the privates were sent, and an ample wardrobe for Allen, suited to his rank as a colonel, not forgetting two beaver hats, fiercely cocked and bound with gold lace. Not content with clothing the ragged, they supplied abundant food for the hungry, and sea stores were furnished for all the rebels, with a feeling which indicated not only generosity and humanity, but a sympathetick attachment to the cause in which the Americans suffered.

Fifty guineas were offered to Allen; of which he accepted seven, as a resource in any pressing emergency.

Such was the behaviour of the Irish gentlemen of Cork—but the English gentlemen of the navy, appeared only to feel chagrin at the occurrence. The captain of the *Soleby*, swore that the American rebels, should not be feasted "by the rebels of Ireland," and ordered the delicacies designed for Allen and his companions, to be given to his majesty's servants. The clothing they were generously permitted to keep. The *Soleby* sailed for America with a fleet, and the rebel prisoners were divided among the ships. On arriving at Cape Fear River, in North Carolina, Allen was transferred to a frigate, called the *Mercury*, and his fellow captives collected, and placed again in his company. The captain of this frigate, is described, as "tyrannical, narrow minded, and destitute of the feelings of humanity."

One of the Americans died on the passage from Ireland, and another escaped after arrival on the coast, by swimming. Some of them were sick, but medical attendance was denied them, they were shut down in the cable tier, and if they complained, were told, that they would be relieved on their arrival at Halifax, by the gallows.

The *Mercury* sailed from Cape Fear River on the 20th of May, and touched at the Hook off New York the first week in June. At this time General Washington with the American army had possession of New York, and the British shipping lay in the outer harbour near the Hook. The *Mercury* remained here three days, during which time Governour Tryon, and Mr. Kemp, the attorney-general of New York under the old government, came on board. Tryon eyed Allen, as they were walking on different parts of the deck, but did not speak to him. It is natural to presume, that the

late governour saw with a secret satisfaction the man in safe custody, who had caused him so much unavailing trouble in writing proclamations. Kemp was the same attorney, whom Allen had met at Albany, when he attended the court there as agent for the patentees of the New Hampshire Grants. No man had been more active in pressing the New York claims, or in stirring up persecutions against the Green Mountain Boys; and of course no one had acquired among them a more odious notoriety. This accidental meeting with Ethan Allen must have called up peculiar associations in the minds of both the governour and the attorney-general.

The Mercury arrived in Halifax after a short passage from New York. The prisoners were put into a sloop, then lying in the harbour, and a guard watched them day and night. In this confinement they were served with so scanty an allowance of provisions, that they suffered cruelly from the distress of hunger, which, added to the attacks of the scurvy, made their condition more deplorable than it had been at any former time. They were still under the direction of the captain of the Mercury, to whom they wrote letter after letter, imploring medical aid and other assistance; but in vain. The captain was deaf to their calls, took no notice of their complaints, and, to get rid of their importunities, ordered the guards to bring him no more letters. Their case seemed now reduced to the verge of despair. Allen resolved, however, to make one more effort. He wrought so far upon the compassion of one of the guards, as to persuade him to take a letter directed to Governour Arbuthnot, which was faithfully communicated. Touched with the claims of humanity, the governour immediately sent a surgeon to the prisoners, with instructions to administer such relief to the sick as was necessary, and also an officer, to ascertain and report the grounds of their complaint. This officer discharged his duty well, and the result was, that the next day they were removed from their dismal quarters on board the prison-sloop, to the jail in Halifax.

Allen met Mr. James Lovell of Boston (afterward a member of congress, and one of Gates's faction,) in the jail of Halifax. He had been confined in the jail of Boston by Gage, and carried thence to the jail of Halifax, where he was locked up with prisoners of the lowest description.

There were now together four American officers, besides Mr. Lovell, who, by the custom of war and the practice then existing in regard to British prisoners taken by the Americans, had a right to their parole; but this was never granted. They were kept in close confinement till orders came from General Howe to send them to New York. Partial negotiations had commenced between General Washington and General Howe for the exchange of prisoners, and certain principles had been laid down, by the mutual agreement of the parties, as a basis upon which to proceed. More-

over congress had instructed General Washington to make a special application in favour of Mr. Lovell and Colonel Allen, proposing to exchange Governour Skene for the former, and an officer of equal rank for the latter. The legislature of Connecticut had also interfered in behalf of Allen, and eighteen of the prisoners taken with him, who were natives of that state, and solicited congress and the commander-in-chief to use all practicable means for effecting their release. The same had been done by the Massachusetts legislature in the case of Mr. Lovell.

The Lark frigate, on board of which were Mr. Lovell, Colonel Allen, and their companions, sailed from Halifax about the middle of October. Luckily they found themselves at last under an officer, Captain Smith, who treated them with the politeness of a gentleman, and with the feelings of a man capable of sympathizing in the distresses of the unfortunate. The first interview is thus described by Colonel Allen. "When I came on deck, he met me with his hand, welcomed me to his ship, invited me to dine with him that day, and assured me that I should be treated as a gentleman, and that he had given orders that I should be treated with respect by the ship's crew. This was so unexpected and sudden a transition, that it drew tears from my eyes, which all the ill usages I had before met with were not able to produce; nor could I at first hardly speak, but soon recovered myself, and expressed my gratitude for so unexpected a favour, and let him know, that I felt anxiety of mind in reflecting, that his situation and mine was such, that it was not probable it would be ever in my power to return the favour. Captain Smith replied, that he had no reward in view, but only treated me as a gentleman ought to be treated. He said, this is a mutable world, and one gentleman never knows but it may be in his power to help another."

An opportunity soon occurred of verifying this last remark. They had not been at sea many days, when it was discovered that a conspiracy was on foot to destroy the captain and the principal officers, and seize the ship. An American captain, who had commanded an armed vessel, and been recently taken prisoner, was the chief conspirator. He revealed his designs to Colonel Allen and Mr. Lovell, requesting their co-operation in bringing over the other prisoners, about thirty in number, and telling them that several of the crew were ready to join in the plot. It was known that there were thirty-five thousand pounds in money on board, and the plan of the conspirators was to take the ship into an American port, where they expected to divide the booty according to the usual rules of captures. Without waiting to discuss the laws of war, or to reason about the infamy and criminality of such an act with men, who were prepared to execute it, Colonel Allen declared with his usual decision and vehemence, that he would not listen a moment

to such a scheme : that, in its mildest character, it was a base and wicked return for the kind treatment they had received, and that he would at every personal hazard defend Captain Smith's life. This rebuff was unexpected by the conspirators, and it threw them into a distressing dilemma, since the fear of detection was now as appalling to them, as the danger of their original enterprize. They then requested him to remain neutral, and let them proceed in their own way, but this he peremptorily refused ; and he finally succeeded in quelling the conspiracy, by adhering to his resolution, and promising, that, as he had been consulted in confidence, he would not divulge the matter, if the leaders would pledge themselves instantly to abandon the design. In the present state of things they were glad to accept such terms. At the conclusion of this affair, Colonel Allen was forcibly reminded of the words of Captain Smith.

Before the end of October, the *Lark* frigate anchored in the harbour of New York, and the prisoners were removed to the Glasgow transport. Mr. Lovell was exchanged in a few days for Governour Skene ; and colonel Allen, after remaining four or five weeks in the transport, where he met with very civil usage, was landed in New York and admitted to his parole. Here he had an opportunity of witnessing the wretched condition and extreme sufferings of the American prisoners, who had been taken in the battle on Long Island and at Fort Washington, and who were left to perish of hunger, cold, and sickness, in the churches of New York. He speaks of these scenes as the most painful and revolting, that could be conceived. Indeed numerous concurring testimonies have established it as a fact, of which not a shadow of doubt can now be entertained, that human misery has seldom been seen in such heart-rending forms, or under circumstances so aggravating. The motives of the enemy for practising, or permitting cruelties so little consonant to the dictates of humanity, the customs of civilized warfare, and every principle of sound policy, are not a fit theme of inquiry in this narrative. The fact itself is an indelible stain, deep and dark, in the character of Sir William Howe, which no array of private virtues, of military talents, or public acts, will hide or obscure. The picture drawn by Allen, coloured as it may be by the ardour of his feelings, is vivid and impressive, and its accuracy is confirmed by the declarations of several other persons, who also related what they saw.

While he was on his parole in New York, a British officer of rank and importance sent for him to his lodgings and told him that his fidelity, though in a wrong cause, had made an impression upon General Howe, who was disposed to show him a favour, and to advance him to the command of a regiment of royalists, if he would join the service, holding out to him at the same time brilliant pros-

pects of promotion and money during the war, and large tracts of land at its close. Allen replied, "that if by faithfulness he had recommended himself to General Howe, he should be loth by unfaithfulness to lose the General's good opinion;" and as to the lands, he was by no means satisfied, that the king would possess a sufficient quantity in the United States at the end of the war to redeem any pledges on that score. The officer sent him away as an incorrigible and hopeless subject.

In the month of January, 1777, he was directed with other prisoners to take up his abode on the western side of Long Island, being still on parole, and allowed the usual freedom under such circumstances within certain prescribed limits. Here he remained in a condition of comparative comfort till August, when he was suddenly apprehended, environed with guards, conducted to the provost-jail in New York, and put into solitary confinement. This act was on the pretence of his having infringed his parole, which he affirmed was untrue, and the whole proceeding unjust and malicious. But the cause was now of little moment, since he was chiefly concerned with the effect. For the space of three days he was immured in his cell without a morsel of food. The sergeant, who stood at the door, refused to be moved by offers of money or appeals to his compassion, and repelled every advance with a soldier's oath and the brief reply, that he would obey his orders. The pains of hunger became extreme, but they were at last assuaged; and in a few days he was transferred to another apartment of the jail, where he found himself in company with more than twenty American officers.

On the 3d of May, 1778, Colonel Allen was released from prison, conducted to Staten Island, and exchanged for Colonel Campbell; he then passed to Elizabethtown, and found himself once more free, and among his countrymen. After a visit to General Washington, at Valley Forge, he returned to Vermont. Congress granted him a lieutenant-colonel's commission in the continental army, and pay during his captivity.

The course of Colonel Allen now becomes identified with the history of Vermont.

Certain transactions of this year, make it necessary to give a brief view of the state in which the inhabitants of what had been styled the New Hampshire Grants, had continued up to this time.

In the year 1778, certain towns on the east side of Connecticut river, in the state of New Hampshire, preferring the jurisdiction of Vermont, called a convention, and considering that the authority of Great Britain, which had annexed them to New Hampshire, no longer existed, resolved, that they were free to choose, and accordingly petitioned Vermont to receive them. The assembly of Vermont, not only consented to receive the sixteen petitioning towns,

but resolved to take into their body any other towns, producing a vote of the majority of the inhabitants, and sending a representative to the assembly of Vermont.

This free and easy proceeding, justly alarmed New Hampshire, who trembled for the consequences of the former acts of her government and council: and she claimed her sixteen towns, of her daughter Vermont; at the same time appealing to congress, and soliciting the interference of that body. Ethan Allen was sent to Philadelphia for information respecting the wishes of the great council of the United States. He reported, that, congress opposed the union of the New Hampshire towns, but would, if Vermont disannulled her proceedings in that matter, admit her into the union. This state of things, produced violent dissensions in Vermont, and various projects for settling the government of the yet but half acknowledged state. In the midst of this uncertainty, Massachusetts put in a claim for a large part of Vermont, as her boundary line had never been settled with New York, and extended into the territory which had separated from that province. Governour Clinton of New York, interfered in behalf of that state, in July, 1778, and advised such towns of Vermont, as were in favour of continuing in union with the original state, to join in association for defence against the new pretensions. He likewise urged congress to decide the controversy between New York and the pretended state of Vermont, and asserted that the grievances complained of, by that people, arose from the provincial government of New York, and not from the present state government. In the year 1779, Governour Clinton gave commissions to persons in the county of Cumberland, which had remained attached in sentiment to New York, and the people of that county prepared to assert their right of choosing under whose jurisdiction they would live; but Vermont would not permit this, and ordered Ethan Allen to raise the militia, and put down these hostile appearances. George Clinton, was not a man to be frightened from his duty, and he directed the inhabitants of Cumberland, to remain firm in their allegiance to New York, promising that if they were assailed by a military force, the militia of New York, should support them. He likewise advised congress of this very disagreeable state of affairs, which called for the interposition of the general government.

Congress appointed a committee to repair to the before mentioned district known by the name of the New Hampshire Grants, and make enquiries and adjust differences; but in the mean time, Ethan Allen marched into Cumberland county, and seized the colonel commissioned by New York. Dr. Wetherspoon and Mr. Atle were deputed from Congress to settle the affair, but they returned without having effected the purpose.

Four different claims for this disputed territory were now before

congress, and in September, 1779, they, by a series of resolves, recommended to New Hampshire, Massachusetts, and New York, to pass laws authorizing congress to determine the differences between them—saying that they would *then* determine the same—and that it was the duty of the people of said district who denied the jurisdiction of the aforesaid states not to exercise any power over such others as professed to owe allegiance to said three states. Vermont having declared herself independent, acted firmly according to the declaration, and paid no attention to a recommendation involving an absurdity. The governour and council published an appeal to the world, and the state proceeded to act as such.

The controversy was brought formally before congress in 1780, but was postponed, leaving all parties concerned in a state of irritation. It must be remembered that this disunion existed at a time when a foreign enemy was in the United States, and when this distracted territory was menaced with an invasion from the adjacent English province of Canada. The power of Vermont was increased by the adhesion of the sixteen towns of New Hampshire on the east side of Connecticut River, and by the application for protection of a portion of New York adjoining Canada. The leaders, disappointed that Congress did not receive them into the Union, threatened a junction with Canada. The British ministry conceived hopes of advantage from the dissention, and the aims of the English commander in America were announced in a letter from Colonel Beverley Robinson to Ethan Allen, then a colonel in the American service. The letter was dated New York, March 30th, 1780, and was delivered to Allen in the street, at Arlington, in July, by a British soldier in the habit of an American farmer.—It does not appear whether this spy was detected or not; or if detected, whether he was executed as such. By this act, Colonel Robinson had subjected his agent to the punishment of death, we know.

In this letter Robinson professed great kindness and good intention towards Allen and the people of Vermont, of whom he was informed the disposition existed to unite America again to Great Britain, and to restore that happy state of things which had been so wantonly destroyed. He requests him to communicate freely with him, and through him to the commander-in-chief—hints that by embodying the people of Vermont in favour of England, the government of the province will be his reward, and the men and officers so embodied, will be on the same footing as all the provincial corps are.

Allen immediately laid this letter before the governour and other leaders. They advised silence. In February, 1781, Robinson wrote another letter to Allen, and enclosed a copy of the former. He says, he is confirmed in his opinion that Allen and the Ver-

monsters wish to restore America "to her former peaceable and happy constitution," and assures him that the terms mentioned in the first letter may be obtained, and wishes to devise the mode of action for the Vermont forces, whether by uniting with the northern army, or to meet and join an army from New York.

Allen returned no answer ; but on the 9th of March, 1781, enclosed Robinson's letters in a letter to congress, in which the right of Vermont to independence was asserted, and his determination to do every thing in his power to establish it.

The hopes of the British were kept in force, and the commanding officer in Canada took advantage of a negociation opened by the governour of Vermont for exchange of prisoners, to pursue the plan of dividing the Vermonters from the Union. A force was sent by General Haldimand up Lake Champlain, and a flag sent to Ethan Allen, (then a brigadier-general and the commanding officer in Vermont) with proposals for a cessation of hostilities during negotiations for an exchange of prisoners. This was agreed to, provided the truce should extend to the frontiers of New York. This was a proof of Allen's attachment to the American cause ; but so strong was the belief that the Vermonters, and particularly Allen, were inclined to secede, that this stipulation did not open their eyes : it was agreed to, and the wily Yankees tricked the enemy into a forbearance of all hostilities, which the frontiers were not in condition to guard against. Under pretence of a negociation for exchange of prisoners, commissioners were sent to meet the British agents, who proposed terms of the most tempting nature to Vermont, if she joined the royal cause. These commissioners managed to dupe the English, left them in the opinion that they were in a fair way to effect their purpose, and the British forces returned to their winter quarters, leaving the frontiers unmolested.

The troops of the United States had been withdrawn ; Vermont had neither magazines, money, nor an army sufficient to oppose the enemy in any attempt from Canada, and Governour Chittenden concluded that the people of Vermont were at liberty to manage their own affairs in their own way, and that the best way was to keep their enemy quiet by hopes of ultimately acceding to his propositions. Accordingly they pursued this course.

When the news of the surrender of Cornwallis reached Vermont, the assembly was in session. The enemy were in force at Ticonderoga, and so confident that their negotiations were successful, that they made open declaration of their designs, and offered printed proclamations, inviting the people of Vermont to become happy, and the king's government and the agents of England, proposed to the leading men of Vermont, to disseminate these proclamations among the people. Who shall say, that if Washington had not been successful at Yorktown, the state of Vermont would not have been over-

run by the British army from Canada, either as enemies, and conquerors, or friends and protectors ?

The cautious reply of the Vermonters, was, "that the news of Cornwallis's surrender, would render such a step extremely dangerous, and was the sure way to prevent all prospect of success." The British officers still entertaining hopes of producing the defection of the defenceless and dissatisfied state, retired with their troops to Canada.

During the next year, repeated attempts were made by the English in Canada, to conclude this business with Vermont. Haldimand let the governour know, that he had full powers from the king, to establish Vermont as a royal government. Allen was to be a brigadier-general, and others rewarded in proportion. The Vermonters, continued to secure their country's safety, by appearing to listen favourably to their propositions, until the peace of 1783 rendered further dissimulation unnecessary ; but the hopes of England to divide the state of Vermont from the union, were not finally dissipated until the admission of Vermont into the Federal union under the constitution which has been our sheet anchor, unto this time.

Dr. Williams,* tells us, that only eight persons in Vermont were in the secret of this correspondence with the British agents. I am far from justifying their conduct, although the apparent effect of it was salutary.

Before this happy termination of difficulties, events had taken place which I must transcribe at length from Williams's history :

In August, 1781, congress "resolved, ' that it be an indispensable preliminary, to the recognition of the independence of the people, inhabiting the territory called Vermont, and their admission into the federal union, that they explicitly relinquish all demands of lands, or jurisdiction, on the east side of the west bank of Connecticut River, and on the west side of a line beginning at the north-west corner of the state of Massachusetts, thence running twenty miles east of Hudson's River, so far as said river runs northeasterly in its general course, then by the west bounds of the townships granted by the late government of New Hampshire, to the river running from South Bay to Lake Champlain, thence along the said river to Lake Champlain, thence along the waters of Lake Champlain to the latitude forty-five degrees north, excepting a neck of land between Missiquoi Bay and the waters of Lake Champlain.'

" With these resolves of congress, a verbal message was sent by General Washington to Governour Chittenden, desiring to know what were the real designs, views, and intentions of the people of

* History of Vermont.

Vermont : whether they would be satisfied with the independence, proposed by congress ; or had it seriously in contemplation to join with the enemy, and become a British province. The governour returned an unequivocal and decisive answer. That there were no people on the continent, more attached to the cause of America, than the people of Vermont ; but that they were fully determined, not to be put under the government of New York, that they would oppose this by force of arms, and would join with the British in Canada, rather than to submit to that government.

“ In October, the general assembly of Vermont met at Charlestown, in New Hampshire. The resolutions of congress were laid before them ; but although the resolves held out all that Vermont had at first claimed, or had ever expected to obtain, they did not produce a full confidence in congress ; nor did they fall in with the views of those towns, which had joined Vermont, from New Hampshire and New York. When they had been debated, the assembly voted, October the 19th, that they could not comply with the resolutions of congress, of August the 20th, without destroying the foundation of the universal harmony and agreement, that subsisted in the state, and a violation of solemn compact entered into by articles of union and confederation ; that they would remain firm in the principles, on which the state had first assumed government, and hold the articles of union, which connected each part of the state with the other, inviolate ; that they would not submit the question of their independence, to the arbitrament of any power ; but that they were willing and ready to refer the question of their jurisdictional boundary with New Hampshire, and New York, to commissioners mutually chosen ; and when they should be admitted into the American union, they would submit any such disputes to congress.

“ The resolves of congress, though they had not been accepted by Vermont, were considered by New York, as a virtual determination of her claims. The legislature of that state, on the 15th and 19th of November, passed a number of resolutions, and a solemn protest, against the proceedings of congress. Having stated their claims, and related some of the former proceedings of congress relative to the controversy, they resolved, that the legislature of that state was greatly alarmed at the evident intention of congress, from *political expedience*, to establish an *arbitrary* boundary, which excluded from that state, a great part of its territory ; that it was the sense of the legislature, that congress had not any authority, by the articles of confederation, to intermeddle with the former territorial extent of jurisdiction or property, of either of the United States, except in cases of dispute between two or more of the states in the union, nor to admit into the Union, even any British colony except Canada, without the consent of nine states, nor any other state

whatsoever, nor above all to create a new state by dismembering one of the thirteen United States, without their universal consent ; that in case of any attempt of congress to carry into execution their acts of the 7th and 20th of August, the legislature were bound in duty to their constituents, to declare the same an assumption of power, and a manifest infraction of the articles of confederation, and do thereby solemnly *protest* against the same ; that a copy of their resolutions be transmitted to congress, and their delegates expressly directed and required to enter their dissent on every step, which may be taken in and towards carrying the said acts of congress into execution.

“ Anxious for the safety of Vermont, and wishing to avail himself of every measure to promote it, on November 14th, Governour Chittenden wrote to General Washington, on the subject, explaining to him their situation, difficulties, and views. In this letter, the governour placed great confidence in the general, and gave him an account of the transactions with the enemy ; and assigned the reason : ‘ Vermont, drove to desperation, by the injustice of those who should have been her friends, was obliged to adopt policy in the room of power ;’ and with regard to the last resolution of congress, he ascribed them to their true cause, not the influence of their friends, but the power of their enemies ; ‘ Lord George Germain’s letter wrought on Congress, and procured that from them, which the public virtue of this people could not obtain.’

“ At the same time, the troops of New York were in motion to suppress the proceedings of their citizens, who had formed an union with Vermont. On December 18th, their commander, Brigadier-general Gansevoort, wrote to the commanding officer of the troops from Vermont, that in pursuance of a law of New York, he had been detached with a part of his brigade to suppress an insurrection of some of the inhabitants of Schaticook, and Hoosac ; that he was arrived to aid the sheriff of the county, to apprehend the insurgents ; and was informed that a large body of troops from the grants, were marching in force, with artillery ; but before he proceeded any further, he wished to be informed what was the object of their movement into the interior parts of that state, and by what authority. Colonel Walbridge, commandant of the troops from Vermont, wrote in answer, that the object of their movement, was to protect those of the inhabitants, who in consequence of the union, professed allegiance to the state of Vermont ; that he wished conciliatory measures might be adopted, but if those persons who professed to be citizens of Vermont, should be imprisoned, and their property destroyed, he was not to be answerable for the consequences.

“ All parties seem to have been seriously alarmed at these pros-

pects of a civil war : and happily for themselves, they had all of them more moderation and wisdom, than to proceed to hostilities. Reflecting on the war with Great Britain, in which their country was so deeply engaged, they seem to have been fully convinced that no difference among the states ought to be suffered to produce a war among themselves.

“ A controversy so full of mischief and danger to the United States, gave much concern to the commander-in-chief of the American army. Aware of the extremes to which all parties were tending, on January 1st, 1782, he returned an answer to Governour Chittenden's letter, in which were these expressions : ‘ It is not my business, neither do I think it necessary now, to discuss the origin of the right of a number of inhabitants to that tract of country, formerly distinguished by the name of the New Hampshire Grants, and now known by that of Vermont. I will take it for granted that their right was good, because congress, by their resolve of the 7th of August, imply it; and by that of the 21st, are willing fully to confirm it, provided the new state is confined to certain described bounds. It appears therefore, to me, that the dispute of boundary is the only one that exists, and that being removed, all other difficulties would be removed also, and the matter terminated to the satisfaction of all parties. You have nothing to do but withdraw your jurisdiction to the confines of your old limits, and obtain an acknowledgment of your independence and sovereignty, under the resolve of the 21st of August, for so much territory as does not interfere with the ancient established bounds of New York, New Hampshire, and Massachusetts. In my private opinion, while it behoves the delegates to do ample justice to a body of people sufficiently respectable by their numbers, and entitled by other claims to be admitted into the confederation, it becomes them also to attend to the interests of their constituents, and see, that under the appearance of justice to one, they do not materially injure the rights of others. I am apt to think this is the prevailing opinion of congress.’

“ The assembly of Vermont met in February, at Bennington. The letter from the general was laid before them, and it produced those effects which the general seems to have intended : it corrected the errors of the government of Vermont, and produced a confidence in the resolves of congress, thus recommended by the opinion and advice of Washington. After a full debate upon the matter, the assembly resolved to comply with the preliminary required of them. Their proceedings were in this form :

“ ‘ *State of Vermont in General Assembly, February 22, 1782.*

“ ‘ The recommendation of the grand committee, consisting of his excellency the governour, the honourable the council, and the representatives of the people, on taking into consideration the reso-

lutions of congress respecting this state, in the month of August last, being read, is as follows : That in the sense of this committee, congress by their resolutions of August last, in guaranteeing to the states of New York and New Hampshire respectively, all the territory without certain limits therein expressed, has eventually determined the boundaries of this state. And whereas it appears to this committee, consistent with the spirit, true intent, and meaning of the articles of union entered into by this state, with the inhabitants of a certain district of country, on the east side of the west banks of Connecticut River, and on the west side of a line twenty miles east of Hudson's River, which articles of union were executed on the 25th day of February, and on the 15th day of June last, that congress should consider and determine the boundary lines of the state. It is recommended to the legislature of this state, to pass resolutions, declaring their acquiescence in, and accession to the determination made by congress of the boundary lines between the states of New Hampshire and New York respectively, and this state, as they are in said resolutions defined and described. And also, expressly relinquishing all claims to, and jurisdiction over, the said districts of territory without said boundary lines, and the inhabitants thereon residing.

“ ‘ Confiding in the faith and wisdom of congress, that they will immediately enter on measures, to carry into effect the other matters in the said resolution contained, and settle the same on equitable terms, whereby this state may be received into and have and enjoy all the protection, rights, and advantages, of a federal union with the United States of America, as a free, independent, and sovereign state, as is held forth to us, in and by the said resolutions :

“ ‘ And that the legislature cause official information of their resolutions to be immediately transmitted to the congress of the United States, and to the states of New Hampshire and New York respectively.

“ ‘ Whereupon resolved,

“ ‘ That the foregoing recommendation be complied with, and that the west banks of Connecticut River, and a line beginning at the north-west corner of the state of Massachusetts, from thence northward twenty miles east of Hudson's River, as specified in the resolutions of congress in August last, be considered as the east and west boundaries of this state. That this assembly do hereby relinquish all claims and demands to, and right of jurisdiction in and over any and every district of territory, without said boundary lines. That authentick copies of this resolution be forthwith officially transmitted to congress, and to the states of New Hampshire, and New York respectively.’ ”*

* Williams's Hist. of Vermont, pp. 276-284.

Still this long protracted dispute was not terminated. "In this situation things remained, until several of the leading men in the United States, became alarmed with the operation and tendency of publick affairs. Statesmen of ability and information saw that the powers invested in congress, were in effect only the powers of a diplomattick body ; and wholly inadequate to the purposes of federal government. And that the liberties, the safety, and the union of America, could not be preserved, unless an adequate and efficient government could be established in the United States. Virginia had the honour to lead, in the first avowed opposition to the British king and parliament : and she was the first that attempted to call a convention of the states, to form a new federal constitution. The measure was crowned with that success, which might be expected from the deliberate consultations of a free and uncorrupted people, aiming to secure the public safety. A new federal constitution was adopted by the people of America : and a new congress, furnished with competent powers, met in the city of New York, March 3d, 1789.

"The ancient difficulty with New York, was not yet removed. That state had indeed given up all prospect, and probably all desire, of subduing Vermont by force, or by policy ; and well knew that Vermont was, and would remain, a free and independent state. But large tracts of land had been granted by the governours to individuals : these tracts of land, by means of the increasing settlements and prosperity of Vermont, were become greatly valuable. The government of Vermont had uniformly refused to acknowledge the validity of these grants, or submit to any of the legislative acts of New York, and had made new grants of all those tracts of land : and was unalterably fixed in refusing to admit the legality of any legislative act of New York, which related to the territory of Vermont. The grantees under New York, were constantly complaining of the injuries that were done to them, in not being permitted to take possession of their property ; and of the injustice that would be established, if the government of New York should suffer their lands to be thus taken from them without an equivalent. Much pains had been taken to compromise the difficulty, but without coming to any general agreement : and the government of New York did not conceive any very strong obligation lay upon them, to refund that to individuals, which the state had no hand in granting ; but which was simply an act of the crown of Great Britain, executed by the will of the royal governour ; generally for his personal profit, always for the benefit of his particular friends, but never for any emolument to the government or people.

"A course of events at length occurred, which rendered the views of New York more favourable towards Vermont. Disputes relative to the permanent seat of the federal government, ran high in

congress. After repeated trials, the decision sometimes fell in favour of remaining at New York, and sometimes in favour of removing to Philadelphia; and it was finally carried in favour of Philadelphia, by a very small majority. Kentucky, it was foreseen, would soon be admitted into the federal union; and Virginia, to whose territory it belonged, with great dignity and honour, instead of opposing, was aiming to promote that event. The representation from the eastern states was diminished of its just proportion, by the exclusion of Vermont; and this had already proved to the disadvantage of New York. If their old controversy could be settled, it was apparent that the interests and influence of these states would in almost every instance coincide. The public sentiment called loudly for the same measure. To what purpose, it was said, is Vermont kept out of the Union?—Is it not in the full and complete possession of independence, and as well regulated and governed as the other states?—And shall the federal union, throughout the whole territory, be obstructed, and rendered incomplete, by the ancient and endless controversy between New York and Vermont?

“New York wished with the rest of America, to have the federal union completed; and without calling to view the former occasions of contention, passed an act, July 15, 1789, appointing commissioners with full powers to acknowledge the independence of Vermont, and to settle all matters of controversy with the state. On October the 23d, 1789, the legislature of Vermont appointed commissioners on their part, to treat with those of New York, with powers to adjust, and finally determine, every thing which obstructed the union of Vermont with the United States. The commissioners from both states were themselves very desirous to have Vermont brought into the federal union. The only point of difficulty and debate, related to a compensation for the lands claimed by the citizens of New York, which had been granted by the government of Vermont. After two or three meetings of the commissioners, the matter was brought to an equitable and amicable agreement.

“October the 7th, 1790, ‘the commissioners for New York, by virtue of the powers to them granted for that purpose, declared the consent of the legislature of New York, that the state of Vermont be admitted into the union of the United States of America; and that immediately upon such admission, all claims of the jurisdiction of the state of New York, within the state of Vermont, shall cease; and thenceforth the perpetual boundary line between the state of New York and the state of Vermont shall be as was then holden and possessed by Vermont, that is, the west lines of the most western towns which had been granted by New Hampshire, and the middle channel of Lake Champlain.’ With regard to the lands which had been granted by New York, ‘the said commissioners,

by virtue of the powers to them granted, declare the will of the legislature of New York, that if the legislature of the state of Vermont should, on or before the first day of January, 1792, declare that on or before the first day of June, 1794, the said state of Vermont would pay the state of New York, the sum of thirty thousand dollars, that immediately from such declaration by the legislature of the state of Vermont, all rights and titles to lands within the state of Vermont, under grants from the government of the colony of New York, or from the state of New York, should cease,' those excepted, which had been made in confirmation of the grants of New Hampshire.

"This proposal and declaration being laid before the legislature of Vermont, they very readily agreed to the plan, which had been concerted by the commissioners from both states; and on October 28, 1793, passed an act directing the treasurer of the state to pay the sum of thirty thousand dollars to the state of New York, at the time proposed; adopting the western line as the perpetual boundary between the two states; and declaring all the grants, charters, and patents of land, lying within the state of Vermont, made by or under the late colony of New York, to be null and void, those only excepted which had been made in confirmation of the grants from New Hampshire.

"In this amicable manner, was terminated a controversy, which had been carried on with great animosity for twenty-six years. Both sides were weary of the contest, and happily for them, the general state of America led to moderation, equity, and wisdom; and this seems to have been the only period, in which the matter could have been adjusted to the satisfaction of all parties."*

The act passed by the legislature of the state of New York, authorizing commissioners to declare the consent of the state, to the independence of Vermont, expressly declared, that the act was not to be construed, to give any person claiming lands in Vermont under title from New York, any right to any compensation whatever from that state. This was considered as a revolution effected by force, and not imposing any obligation upon the government to indemnify those who suffered by the cession.† The question was argued before the assembly, and decided in 1787.

* Williams's History of Vermont, pp. 200-304.

† Kent's Comm. Vol. I. pp 178, 179.

CHAPTER XV.

Provisional articles of peace—Attempts to create revolt in the army—Armstrong's letters—Washington's opposition—Peace concluded—Evacuation of New York—Convention to form constitution—Washington, first President of the United States—Attempts to ridicule him—His reception in New York.

1782 NOTWITHSTANDING the strenuous exertions of Lord Chatham for the subjugation of the United States, the

1783 English parliament resolved, "that the house would consider as enemies to his majesty, and the country, all those who shall advise or attempt the further prosecution of offensive war on the continent of North America." Instructions were sent to Sir Guy Carleton, (who had now taken up his quarters in Kennedy's house, No. 1, Broadway, as the successor of Sir Henry Clinton,) to use his endeavours for carrying into effect the wishes of Great Britain for an accomodation with America.

The commissioners on our part, were John Adams, Benjamin Franklin, John Jay, and Henry Laurens; on the part of England, Messrs. Fitzherbert and Oswald. On the 30th of November, 1782, provisional articles were agreed upon, which were to be inserted in a treaty of peace, by which the independence of the United States was acknowledged in the most ample manner. But now came a severe trial for the man who had passed through so many trials for the good of his country, as well as its peace. General Washington was desirous that his companions in arms should submit to the necessity imposed by unavoidable circumstances, accept of the promises made by the yet unsettled government, and retire to their employments with untarnished laurels. But here, as throughout his life, he met the malign influence of those who had endeavoured to thwart the efforts of a good providence and its agents, in every stage of the contest for self-government.

In December, 1782, many of the officers being apprehensive that they should be disbanded before their accounts were liquidated, drew up a memorial, and deputed General McDougall, Colonel Ogden, and Colonel Brooks, to wait upon congress with it. This produced favourable resolutions. Subsequently a report was circulated, by an incendiary, that congress did not mean to comply with the resolves they had published in favour of the army. This brought out an address to that body, signed by many officers, in

which they ask for money, for settlement of accounts, and security for what is due. They say that their condition is wretched, and call on congress to show the world that the independence of America is not to be based on the ruin of any particular class of citizens. This address produced resolves, that, the superintendant of finance make such payment as circumstances will permit, and that the several states be called upon to make immediate settlements with their respective divisions of the army ; that the army, as well as other creditors, have a right to security for what shall be found due, and that congress will make every exertion to obtain funds from the respective states.

They could do very little more than recommend to the states, who, now that immediate pressure from without was about to be withdrawn, might be expected to fall off from that union which danger produced. The negotiations continued some time. General McDougall remained at Philadelphia. Colonel Ogden appears to have been there part of the time, as we shall see by Major John Armstrong's letters to General Gates.

While this disturbed state was kept up in the army, and increased as the day of separation was supposed to approach, an anonymous letter was circulated among the officers, most artfully calculated to exasperate passion, and produce the most fatal consequences.

Justice can only be done to the talents of the author by reading the whole, which is preserved in the general history of the time ; from which I have made this abstract : It is dated March 10, 1783. The author assumes the character of a veteran who had suffered with those he addressed. He tells them that to be tame in their present situation would be more than weakness, and must ruin them forever. He bids them "suspect the man who would advise to more moderation, and longer forbearance." He then describes the high state in which the country has been placed by their services. And says, "does this country reward you with tears of gratitude and smiles of admiration, or does she trample on your rights, disdain your cries, and insult your distresses?" He advised them to carry their appeal from the justice, to the fears of government. "Assume a bolder tone—say, that the slightest indignity from congress now must operate like the grave, and part you from them forever." That if peace takes place, "nothing shall separate you from your arms but death : if war continues, that you will retire to some unsettled country, with Washington at your head, and mock at the distresses of government." The insidious expression of "courting the auspices, and inviting the direction of their illustrious leader," was calculated to make the army believe that Washington would join them in rebellion against his country, and was certainly a bold artifice, coming, as it did, from one in constant correspondence with General Gates, and attached to him both by inclination and

office. It was likewise an expression which called for decided action from the commander-in-chief.

The author was long suspected to be Major Armstrong,* who late in life acknowledged the fact. He attempted to justify himself, by saying that they were written "at the solicitation of his friends, as the chosen organ, to express the sentiments of the officers of the army, and were only an honest and manly, though perhaps, indiscreet endeavour, to support publick credit, and do justice to a long-suffering, patient, and gallant soldiery." However willing I should be to attribute this "indiscreet endeavour" to pure motives, yet, when the gentleman goes so far as to assert that "the slander propagated and believed for half a century, that two distinguished officers of the revolution had conspired to put down the commander-in-chief, is an impudent and vile falsehood from beginning to end," I am obliged, with the evidence of this conspiracy before me, to hesitate, before I exonerate the writer of the letter in question from blame. The commander-in-chief noticed the anonymous address in orders, with pointed disapprobation, and requested that the general and field officers, with a proper representation from the staff of the army, would assemble on the 15th instant, to hear the report of the committee deputed by the army to congress. This request was seized upon, and represented in a second paper as giving sanction to the proceedings of the officers, and they were called upon to act with energy. On the 15th of March, the commander-in-chief addressed the convention of officers, (General Gates being the chairman,) in the language of truth, feeling, and affection. He overthrew all the artifices of the anonymous writer and his friends, one of the principal of whom sat in the chair. Washington noticed the advice to *mark for suspicion the man who should recommend moderation*. He feelingly spoke of his own constant attention, from the commencement of the war, to the wants and sufferings of the army, and then pointed out the dreadful consequences of following the advice of the anonymous writer, *either to draw their swords against their country, or retire, if war continues, for the defence of all they hold dear*. He calls to mind the scenes in which they had acted together, and pledges himself to the utmost exertion for obtaining justice to his fellows in arms. He requests them to rely on the promise of congress. He said, "I conjure you, in the name of our common country, as you value your own sacred honour, as you respect the rights of humanity, to express your utmost horror and detestation of the man who wishes, under any specious pretences, to overturn the liberties of your country; and who wickedly attempts to open the floodgates of civil discord, and deluge our rising empire in blood."

* Since known as General Armstrong. He was afterward secretary at war.

The convention resolved, unanimously, among other things, that "the army, have unshaken confidence in congress, and view with abhorrence, and reject with disdain, the *infamous propositions* contained in a late anonymous address to the officers of the army."

In a letter written by John Armstrong at Philadelphia, to General Gates, in April, 1783,* he mentions a plan agitated, to grant land in Muskingum to the army, and form a new state. This, he says, is intended to amuse and divert the army from the consideration of more important concerns. In another letter he thanks Gates for cautioning him not to leave the papers exposed to curious and inquisitorial eyes. (The general remembered the letter of Conway to himself.) He says, "Ogden is now here," at Philadelphia, from the army, "and, as he conceals nothing, he tells us a great deal. Among other things, it is said, that the army look back with horror and regret upon the mistaken step they have taken," (previous to Washington's address to them,) "and like contemptible penitents who have sinned beyond the prospect of salvation, wish to have it to do over again. It is now, however, too late—the soldiers are anxious to disperse; no ties, no promises, will hold them longer, and with them will every loitering hope of *ours* break also." He prophesies civil war, and exclaims, "Can it be otherwise? will the whigs who have lent their money—and will the men who have lent their time and blood to America, sit down quietly under their wants and their wretchedness? A dissolution of all *debts*, of all *credits*, of every principle of union and society, must and will follow. And suffer me to ask, where will it stop? God in his anger gave them a king; and we want a scourge." "One secret, however, Ogden tells me which shall be no longer so. Mr. Brooks was sent from hence with orders to break the sentiments like those contained in the anonymous address to the officers, and to prepare their minds for some manly vigorous association with the publick creditors; but the timid wretch discovered it to the only man, from whom he was to have kept it, and concealed it from those to whom he had engaged to make it known. To be more explicit, he betrayed it to the commander-in-chief, who, agreeable to the original plan, was not to have been consulted till some later period. Such a villain!—I would have written again had I not seen the impotency of the army, and the assurance of congress. They see our weakness, and laugh at our resentments."

On the 30th of November, 1782, the articles of peace were agreed to, and on the 25th of November, 1783, the governour of the state, and the commander-in-chief of the American armies, took possession of the city of New York.

* Gates' Papers, in Library of N. Y. Hist. Soc.

Sir Guy Carlton seemed to supersede Sir Henry Clinton, merely to adjust matters, and close the war. Brook Watson was appointed commissary-general for the same purpose. Before the 25th of November, 1783, such of the citizens of New York, as intended to continue among their former enemies had time to make their arrangements, and both Washington and Clinton gave them assurance of protection.

A fleet of transports under a strong convoy, had sailed in October, 1782, from New York for "the province of Nova Scotia, having on board a number of loyalists with their families, amounting in all to 460 persons." They were furnished by the British with provisions for a year—rations for a twenty-one days passage—cloathing, tools of husbandry, arms and ammunition. They are to have lands; they go to enjoy a good government, "freed from the detestable tyranny of seditious demagogues, and the burthen of unequal and oppressive taxes." Most of these people returned as soon after the peace as they could find means.

On that memorable day the 25th of November, 1783, General Washington entered the city by the Bowery, the only road at this time, accompanied by his friends and the citizens in general on horseback: at an appointed hour the British troops had embarked, and their gallant fleet was standing to sea over the bay.

The military of the American army was under the command of General Knox, who took immediate possession of the fort, and prepared to hoist the American colours and fire an appropriate salute.

The British arms were disgraced by some underling, in knocking off the cleats and slushing the flag-staff, to prevent the American flag from being hoisted.

The following is the statement of an eye-witness.* "I was on Fort George, within two feet of the flag-staff: the halyards were unreeved, the cleats were knocked off, the flag-staff was slushed, and a sailor *boy* (not a man) tried three times, and got up about three feet, when he slipped down—some persons ran to Mr. Goelet's, iron monger, in Hanover-square, (now Pearl street,) and got a hand-saw, hatchet, hammer, gimblets, and nails; one sawed lengths across the board, one split the cleats, and some bored, until they had plenty of them.

"The sailor boy tied the halyards around his waist, filled his outside sailor-jacket pockets full of the cleats, then began to nail them on from the ground, on the right and left of the flag-staff; as he ascended the flag-staff, he nailed the cleats on, then he reeved the halyards, and when the American flag was then hoisted on Fort George, a salute was fired of thirteen rounds immediately, and three cheers were given.

* N. Y. Commercial Advertiser of June 30th, 1831.

“ It took near one hour before we could hoist our American standard ; at the time we were preparing to hoist it, the river was covered with boats filled with soldiers to embark on board the shipping that lay at anchor in the North river—the boats at the time lay on their oars, sterns to shore ; observing us hoisting our colours, they kept perfect silence during this time. When our salute of thirteen guns was fired, the boats rowed off to their shipping.”

The writer was engaged in other parts of the show until evening, when the American commander-in-chief took up his head-quarters at the tavern known as Black Sam's, and there continued until the 4th of December 1783. At noon on that day the officers met at Francis's tavern, corner of Queen street and Broad street ; a house known since for many years as a French boarding-house, the name of Queen street being changed to Pearl. Its keeper, Samuel Francis, a man of dark complexion, was familiarly known as “ Black Sam.” This house was the quarters of the general, and when the officers had assembled, their beloved leader entered the room, and, after addressing them in a few words, he concluded, by saying, “ I cannot come to each of you to take leave, but shall be obliged to you if you will come and take me by the hand.” Knox who had served with him from the commencement of hostilities, was the first to experience the parting grasp of the hero's hand ; and, in turn, all present, in silence, pressed that hand which had guided a nation through the storms of war, and was destined to rule its destinies during an unknown futurity. Leaving the room, he passed through a line of his brave soldiers to Whitehall, where he entered the barge waiting for him. He turned to the assembled multitude, waved his hat, and thus bid them a silent adieu, as they then thought forever.

Congress was sitting then at Annapolis, and he hastened to deposit in the hands of those from whom he had received it in the year 1775, his commission of commander-in chief of the American forces.

From thence he flew to enjoy as a private citizen the blessing of a home and family at Mount Vernon, with the admiration of a world. Here he continued as Farmer Washington, until called by the voice of his country to a convention for the amendment of the government founded by the old confederacy of sovereign states.

The convention was held at Annapolis, in September 1786, and resulted only in holding a convention in Philadelphia in May 1787 ; this convention immediately adopted the principles of the declaration of independence, and George Washington as their president. On the 17th of September, 1787, the constitution under which we have lived was announced to the people.

To become the fundamental law of the land, nine of the states were required to adopt it. Massachusetts was the last of the nine, but George Washington was the name which all the people, whether federalist or anti-federalist as they were then called, pronounced as the president.

Although the new government was to commence its operations on the 4th of March 1789, a house of representatives was not formed until the first, nor a senate until the sixth, of April. At length the votes for president and vice-president were counted in the senate. Washington was unanimously called to the chief magistracy of the nation. The second number of votes was given to John Adams. Washington and Adams were therefore declared to be duly elected president and vice-president of the United States, to serve for four years from the 4th of March 1789. Washington's election was announced to him at Mount Vernon, on the 14th of April. On the second day after receiving notice of his appointment, he departed for New York, then the seat of government.

In an entry made by himself in his diary, his feelings on the occasion are thus described:—"About ten o'clock I bade adieu to Mount Vernon, to private life, and to domestick felicity; and with a mind oppressed with more anxious and painful sensations than I have words to express, set out for New York, in company with Mr. Thompson and Colonel Humphreys, with the best dispositions to render service to my country in obedience to its call, but with less hope of answering its expectations."*

His progress to New York was one triumph. The City Hall had been new modelled by Major Lenfant, for the reception of the first congress under the new constitution. His reception at New York was that of a friend and conqueror. "The display of boats," he says, in his private journal, "which attended and joined on this occasion, some with vocal and others with instrumental musick on board, the decorations of the ships, the roar of cannon, and the loud acclamations of the people, which rent the skies as I passed along the wharves, filled my mind with sensations as painful (contemplating the reverse of this scene, which may be the case, after all my labours to do good,) as they were pleasing."* What a contrast is this to the words of Armstrong, in a letter addressed to Gates, dated April 7, 1789, in which, after alluding to the election of Washington and Adams, he says: "All the world here and elsewhere, are busy in collecting flowers and sweets of every kind, to amaze and delight him, in his approach and at his arrival; and even Roger Sherman has set his head at work to devise some style of address more novel and dignified than 'excellency.' Yet, in the

* Marshall's Washington, (2d ed.) Vol. II, pp. 138-139.

† Ibid. p. 142.

midst of all this admiration, there are scepticks who doubt its propriety, and wits who amuse themselves with its extravagance. The first will grumble, and the last will laugh, and the President should be prepared to meet the attacks of both with firmness and good nature. A caricature has already appeared, called 'The Entry,' full of very disloyal and profane allusions. It represents the General mounted on an ass, and in the arms of his mulatto man, Billy,—Humphreys leading the jack, and chaunting hosannas and birthday odes. The following couplet makes the motto of this device :

‘The glorious time has come to pass,
When David shall conduct an ass.’

I mention this circumstance only to illustrate my position, that wit spares nothing—neither Washington nor God—and that the former, like the latter, will have something to suffer, and much to forgive.”*

On the 22d of April, the common council of New York passed the following resolution : “Whereas, this board have reason to believe that a very great proportion of the citizens are earnestly desirous to illuminate their houses on the evening of the arrival of the President of the United States, as a testimony of their joy on that interesting event, and that preparations are already made for that purpose ; it is therefore recommended to the citizens to illuminate their houses from the hour of seven to nine, in full confidence that every act of violence and disorder will be avoided, and the utmost attention paid to guard against accidents by fire ; and it is hereby required of the constables and marshals to exert the utmost vigilance in the preservation of peace and good order, and that all good citizens will be aiding therein : and it is further recommended, that the bells of all the churches and other public buildings commence ringing, on the president’s landing, and continue for half an hour.” And £16 were ordered to General Malcolm to provide gunpowder for the militia on the president’s arrival.

On the 27th of April, an address was read in the board, prepared by the mayor, Mr. James Duane, at the request of the corporation, to be presented to the new president. They offer their affectionate congratulations on his arrival. They express their high veneration of his character—exalted sense of his services—conviction that the greatest trust a free people can confer, has been committed to one qualified for its discharge. They compliment him

* Gates’ Papers in Library of N. Y. Hist. Soc. In another letter of Armstrong’s to Gates, of October 4, same year, he says : “The appointments are pretty well thought of in general. Jay, Jefferson, and Hamilton, are all very able men, and promise as much as any men could do for the honour, consistency, and firmness of the government. I am glad that he has got into such good hands ; for else he must have remained in those of Knox and Humphreys.”

on the recollection of former services, and especially on his retreat from the head of a victorious army to the shades of private life—they express their pious gratitude for those circumstances which have constrained him by motives of patriotism to re-engage in the arduous duties of a public station—they rejoice to be placed under the protection of one they have long revered as the father of his country; and consider the unanimity which prevailed in his election as a presage of the stability of the government—anticipating blessings to the country in peace, under his auspices, as it had been triumphant in war, etc. A committee was appointed to wait upon the president to know when he would receive the address.

On May the 13th, the President of the United States answered to the address. He expresses gratitude and satisfaction therewith—diffidence of his abilities—thankfulness to Heaven that he has been the instrument of service to his country—claims no merit in retiring from the army, but is happy his motives have been duly appreciated—fears the partiality of his country induces them to expect too much from him, but hopes success from the unanimity apparent.

CHAPTER XVI.

Treaty of peace—Events intermediate between the peace and adoption of Federal Constitution—Settlement of boundaries of New York—Population of the state—Shay's rebellion in Massachusetts—Convention to form Constitution—Motives for it and its origin—Constitution of the United States and its construction—Parties for and against it—Doctor's mob—Convention to consider adoption of Constitution—Proceedings and debates in convention—Constitution adopted—Conclusion.

THE events during the period intervening between the conclusion of peace with Great Britain, in 1783, and the adoption of the Federal Constitution by the state of New York, have only been cursorily alluded to in the preceding chapter. Something more minute and in detail as to this important epoch in our civil and political history seems to be required, ere we can arrive at the completion of our labours.

1783 On the 10th of April, the treaty of peace as respected the preliminary articles, was published. The American commissioners were, John Adams, Benjamin Franklin, John Jay, and Henry Laurens, as before stated. It was agreed by England to acknowledge the former colonies to be free, sovereign, and independent states; the relinquishing all claims, and agreeing to the *boundaries* from the north-west angle of Nova Scotia, formed by a line drawn due north from the source of St. Croix River, to the Highlands; along the said Highlands (which divide the rivers falling into the St. Lawrence from those falling into the Atlantic) to the north-westernmost head of Connecticut River; *thence* down along the middle of the river to the 45th degree of north latitude: *thence* by a line drawn due west on said latitude to the river Iroquois or Cataraquy; *thence* along the middle of said river into Lake Ontario and through the middle thereof and the middle of Niagara straits and Lake Erie, and the waters dividing Erie from Huron, and the middle of Huron and Superior northward of the Isles Royal and Philipeaux to Long Lake, and through the middle of Long Lake and Lake of the Woods to the north-western point thereof; *thence* due west to the Mississippi River and through the middle of that river until it shall intersect

the northernmost part of the 31st degree of north latitude, south by a line due east from the determination of the last mentioned to the middle of the river Apalachicola or Catahouche, through the middle thereof to its junction with Flint River; *thence* straight to St. Mary's River, and through the middle thereof to the Atlantick. East by a line drawn along the middle of St. Croix River from its mouth in the Bay of Fundy to its source, and from its source directly north to said Highlands, dividing the waters falling into the St. Lawrence from those falling into the Atlantick, as aforesaid: with all islands within twenty leagues of any part of the shore of the United States, lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other shall respectively touch the Bay of Fundy and the Atlantick Ocean. Excepting such islands as now are or heretofore have been within the limits of Nova Scotia. The right to take fish on the Grand Banks and other banks of Newfoundland and the Gulf of St. Lawrence and the Sea is conceded; and on the coast of Newfoundland and in all bays, harbours, etc., of the dominions of England in America, and to dry and cure fish on the *unsettled* parts of said coast. Creditors on either part are secured. Congress shall *recommend* to the respective states to restore confiscated estates, and to respect the rights of persons who have resided in districts possessed by the English armies, and have not borne arms against the United States, and all others shall have liberty to go to and fro and remain unmolested twelve months. No further confiscations to be made. Perpetual peace is stipulated; the liberation of prisoners; and evacuation of all places, and forts to be restored by the English, and all records, deeds, and papers. The navigation of the River Mississippi to be free to subjects of both parties. Any places conquered by either party before the arrival of these articles in America to be restored. Signed by Richard Oswald for Great Britain, and for the United States by those above named.

Sir Guy Carleton insisted that it was not meant by England to restore negroes to their former owners, who had joined the British under promise of freedom.

At 12 o'clock of the 19th of April, the day that terminated the eighth year of the war, the cessation of hostilities was proclaimed in the army by order of General Washington.

In July, Congress met at Princeton, New Jersey. General Washington went as far north as Crown Point, and on his return took up his residence at Rocky Hill, to be near congress—where, in September, I had the honour and pleasure of attempting to paint his portrait in crayons, when I was seventeen years and eight months of age, and of frequenting his residence at breakfast and dinner and all hours for some weeks. On the second of November, General

Washington issued his farewell orders to the armies of the United States from head-quarters, Rocky Hill. He resided in the family mansion of the late Mr. Berrien.

Sir Guy Carleton received his orders to evacuate New York in August, and communicated them to Congress. Some fears were apprehended of violence towards the tories, and threats appeared. However, Sir Guy appointed the 25th of November for the day of evacuation.*

1786 In this year, Rittenhouse was engaged in defining and settling the division line between the states of New York and Pennsylvania—a line designated by the 43d parallel of latitude. He likewise determined the demarkation of a territory, the right of the soil in which the state of Massachusetts had accepted in lieu of a contested claim, both to the land and the jurisdiction of a large part of the state of New York. This latter duty was assigned to him by congress, who found it necessary to interfere in the dispute. The original grant by which Massachusetts claimed, was only limited by the Pacific Ocean. The occupation of both banks of the Hudson by the Dutch when New Netherland was ceded to England by the treaty of Breda, and subsequent events, vested this territory in the province of New York, and of course in the state of New York after the revolution; but Massachusetts claimed that the cession could only affect such parts of New York as were actually settled at the time of the treaty, and that the whole of the territory west of them reverted to the holders of the prior grant. She however finally agreed to accept in lieu of this claim, the property of a territory divided from the rest of the state of New York by a meridian line drawn northward from a point in the northern boundary of Pennsylvania, distant eighty-two miles from the Delaware River. The determinations necessary to set off this territory (out of which certain reservations were made) were made by Rittenhouse, and were the last in which he was engaged.

In this year, the population of the city of New York was 23,614. That of Long Island, 30,863. That of the state of New York, 233,896. Long Island being equal to one-seventh of the state.

The necessity for a government of more power, and an union of the states different from that which had barely sufficed to carry them through the war with Britain, was seen among other afflicting circumstances, by the agitations of the New England states, and particularly Massachusetts. Men met in conventions and in more tumultuous assemblies, and opposed the law, the judges, and courts

* For STATE of the Union at the beginning of 1783, and the CAUSES, see 2d vol. Marshall's Washington, 2d edit. p. 75. Washington's Letter to the governours of the several states, p. 80. For revenue system and conduct of New York, see pp. 91, 92.

of judicature. The friends of the country mourned or were astonished at the licentiousness evinced by the young, the thoughtless, the idle, among the people. Congress saw the necessity of increasing the United States army, if so few might be so called, and raised 2,500. General Knox then secretary at war, was sent to Springfield. Greene, much lamented, died this year in Georgia. Some of the malcontents in Massachusetts avowed a wish for an union with Great Britain; and it was thought that Vermont was negotiating with Canada. The wise and virtuous said, "Let us have a government by which our lives, liberties, and properties may be secured." "New York," says Marshall, "had given her final *veto* to the impost system." The confederation was expiring "from mere debility."

1787 Congress were relieved from the embarrassment they were in respecting the call of a convention, by a vote of the state of New York, "which passed in the senate by only one voice," instructing its delegates to move a resolution recommending to the several states to appoint deputies to meet in convention for the purpose of revising and proposing amendments to the Federal constitution; and upon the 21st of February, the day succeeding the instructions given by New York on the subject, congress declared it to be expedient that on the second Monday of May then next, a convention of delegates appointed by the states be held at Philadelphia.

During the preceding winter the insurgents in Massachusetts had assembled in arms and endeavoured to gain possession of the arsenal at Springfield, and were repulsed by a party guarding it, and some lives were lost. The troops of the Union, and the militia called out, were commanded by General Lincoln, and by vigorous measures he succeeded in quelling what has descended to us as "Shay's Rebellion," from the name of the insurgent leader. This unprovoked rebellion made men more anxious for the formation of a government adequate to their protection.

The pressure from without being withdrawn by the peace of 1783, the ebullitions within daily increased, and the confederacy which had gained a triumph over injustice, and still had the semblance of binding the states, was in danger of bursting asunder and scattering in ruins the precious germ of republicanism, to which the philanthropists of Europe looked with hope. The foes of America saw with pleasure the convulsive throes of the fabrick they hated. The wise patriots of the United States had long called for a union more powerful than had sufficed for a state of war. At length Virginia in 1786, called upon the states for a national convention, to regulate commerce with foreign nations. The proposal was gladly received by five of the states, whose delegates, as we have seen,

met at Annapolis, in September of the same year. This small convention only concurred in the necessity of a strong application to congress, for a general meeting of delegates from all the states, to devise such provisions as would render the federal government adequate to the exigences of a great people.

1787 Congress felt the necessity. A general convention was recommended, and all the states appointed delegates, except Rhode Island. It was an awful crisis in the history of self government, when they met for deliberation at Philadelphia, in May.

The convention assembled at Philadelphia, on the second Monday of May in this year. The following is a list of such of the members as ultimately signed the constitution.

New Hampshire.—John Langdon and Nicholas Gilman.

Massachusetts.—Nathaniel Gorham, Rufus King.

Connecticut.—William Samuel Johnson, Roger Sherman.

New York.—Alexander Hamilton.

New Jersey.—William Livingston, David Brearley, William Patterson, Jonathan Dayton.

Pennsylvania.—Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimmons, Jared Ingersoll, James Wilson, Gouverneur Morris.

Delaware.—George Read, Gunning Bedford, jun., John Dickinson, Jacob Broom.

Maryland.—James McHenry, Daniel of St. Tho., Jennifer, Daniel Carroll.

Virginia.—George Washington, John Blair, James Madison, jun.

N. Carolina.—William Blount, Richard Dobbs Spaight, Hugh Williamson.

S. Carolina.—John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.

Georgia.—William Few, Abraham Baldwin.

Rhode Island made no appointment ; and of three appointed by New York, Robert Yates and John Lansing did not sign. The delegates from Pennsylvania, Delaware, and South Carolina, all signed ; not so from the other states.

It may be further remarked of this convention, that George Washington was unanimously chosen to preside ; that in the plan of constitution laid before them by Charles Cotesworth Pinckney, the coining money, and issuing bills of credit, was denied to any individual state, and nothing but gold, silver, and copper, could be made a tender for debts ; and that Alexander Hamilton, in a paper read by him to the convention, advocated as the supreme executive authority of the United States, a governour for life, or good behaviour, and a senate, elected by electors, chosen by the people, and like-

wise for life, or good behaviour. This plan of Hamilton, is not noticed in the journals. It was not offered by him for discussion, but was read by him as part of a speech, observing, that he did not mean it as a proposition, but only to give a more correct view of his ideas.

The states saw the importance of this convention, at least, so far, that on it depended every blessing which was to flow from the previous suffering, and resistance to British aggression. They sent their best and wisest men as delegates to the important meeting. When the people saw to whom the framing of a government was entrusted, they felt confidence, and looked with reliance to the result. They were not disappointed.

The deliberation of the convention continued some months. At length a plan was promulgated, which now forms the government of the United States, and has for the last half century, given to the people, an unexampled state of happiness, and an advancement in all the arts of civilization, equal, if not superiour, to any thing which has heretofore been developed.

The plan formed by this great convention, was directed to be submitted to conventions of delegates chosen by the people at large, of each state. The consent of the people, the only true foundation of government, was to be the basis on which the fabrick of our constitution was to rest. The best and wisest of each state, were, we must presume, selected to scrutinize and discuss every proposition laid before them by this general convention. Conflicting views and interests, caused long deliberation within the walls of each state convention; and private debate, with individual opinion, caused the presses of the union to submit a variety of views on the subject. Near a year elapsed before the plan was agreed to by the number of states, required by its provisions to render it a confederation, and a legal constitution for future government. Nine states of the original thirteen were requisite; and Massachusetts was the ninth that assented. Virginia and New York, had not yet

determined; but very soon followed the example. The
1789 Federal government was organized, and on the 4th of

March, 1789, the man of the people was inaugurated as the first president of the United States, in front of the City Hall, Wall street, New York; and in the presence of the people convened to behold the simple dignity of the ceremony, who, (as the building faced on Broad street, open to view for half a mile, and the oath was administered in the balcony of the building,) witnessed a delegation of power given to one man, far transcending the power of an English monarch, but without a genuflection or mark of servility, without any of that degrading pomp, or blasphemous profession, which is thought necessary on similar European ceremonies, to awe, or please, or mislead the multitude. The man was invested

with kingly power, for the acknowledged purpose of serving his fellow citizens : he was to hold that power for the limited term of four years : he was responsible to those who elected him for his conduct : and he, in their presence, swore to maintain the constitution they had chosen for their own and his government.

North Carolina and Rhode Island, withheld their assent to the plan of the convention for some time ; but in the month of June, 1790, the constitution had received the unanimous ratification of the people of every state. A complete revolution of the most momentous nature took place, without riot, tumult, or hostile movement of any description, but on the contrary, with every demonstration of joy and perfect amity. It was a revolution, which is a source of pride in the contemplation, as great as it is of felicity in the progress.

I will now briefly consider the structure of the government which included New York, in its beneficent circle of influence ; and then detail the proceedings of the state convention, which discussed its provisions, and finally adopted them.

The power of making laws for the union, is by the constitution entrusted to congress : and the separation between that and the other branches of the government, required and received very marked distinction. The legislative power resides in one branch, the executive in another, and the judicial in a third. The one happily balancing the other, and preserving harmonious movement in the whole machine. The constitution not only provides for this harmony, but defines the general powers and duties of each of those departments.*

The constituent powers of congress for legislation are granted to a senate and house of representatives. The division into two separate houses was dictated by the experience of our English ancestors, and has been happily confirmed as a most wise and efficient provision of our own, by our own experience. The object of a separation of the legislature into two parts, with co-ordinate powers, destroys most of the evils arising from sudden and violent excitement ;—“ passion, caprice, prejudice, personal influence and party intrigue,” which influence single assemblies, in a measure lose their effect when a rival body has the right to reconsider their dictates, and remedy the evils they would otherwise have inflicted.

As the states are each (under constitutional restraints,) a sovereign, the senate is composed of an equal number of representatives from each without reference to population. Thus each confederated

* See Kent's Comm., Vol. I. I have in the following pages borrowed largely and freely from the learned commentator on American Law.

sovereign state has an equal voice in the upper house of congress : each state sending two delegates. By the law of nations, every independent community is equal. During the half century that the senate has watched over the liberties of America, it has increased with the growth of the country from twenty-six members to fifty-two, representing twenty-six sovereignties instead of the original thirteen. The senators by the constitution are to be chosen by the legislatures of the several states, who are to prescribe the times, manner, and place of elections. In New York, it has been settled that they shall be chosen by joint vote or ballot of the two houses of her legislature, in case they cannot separately concur in a choice. A more mature age is required as a qualification for a senator than that required for the lower house ; and it is presumed that he will entertain more enlarged views of public policy, will feel a higher sense of national character, and a greater regard for stability in the administration of the government than the more numerous assembly of younger statesmen, who come more immediately from the people, and hold their seats for a shorter time.

The members of the senate are divided into three classes : the seats of one class are vacated every second year : thus one third are chosen every two years. The classes whose term of service was in the first instance so reduced as to be only two or four instead of six years, were determined at the commencement of the government by lot. The vice-president of the United States is president of the senate ; but has no vote unless on an equal division of the house. (It is now established that he shall decide every question of order without debate, subject to an appeal to the senate.) Every senator is elected for six years, and must be thirty years of age, and nine years a citizen of the United States, being an inhabitant at the time of his election of the state for which he is chosen. The English policy is in my opinion much wiser, that no alien born can become a member of parliament.

The house of representatives is composed of members chosen every second year by the people of the several states who are qualified electors of the most numerous branch of the legislature of *that* state. He must be twenty-five years of age, and have been seven years a citizen of the United States, being an inhabitant at the time of his election, of the state in which he is chosen. In this case, as in that of the senator, he should be a native.*

* At this period (time has produced the result) no other than a native citizen can be elected president of the United States. By the new constitution of this state (1821) the governor must be a native of the United States. The old constitution (1777) did not require that qualification. The necessity of such limitations had not then been felt

The constitution of the state of New York in 1777, required the electors of the senate to be freeholders, and of the assembly to be either freeholders, or to have rented a tenement of the value of forty shillings, and actually paid taxes. By the constitution of 1821, the qualifications of electors for both branches of the legislature were placed on the same footing, and were reduced almost to a shadow. It contained a provision for an almost unchecked license of alteration, (styled amendment.) The consequence has been, that by a so-called amendment, the principle of universal suffrage has been introduced, nearly, if not quite, to its full extent.

All the constitutions for states formed since 1800, have omitted to require any proper qualifications in an elector. Unless the people improve very rapidly, we shall feel the ill consequences of too much freedom, and too great indulgence to foreigners.

The constitution of the United States directs, that the representatives in the lower house of congress be apportioned among the states according to numbers; which is determined by adding to the number of *free* persons, including those bound to service for a number of years, and exclusive of Indians not taxed, *three fifths of all other persons*. The number of representatives is limited to one for every thirty thousand: but each state is entitled to at least one. The census to be taken every ten years, and the representatives to be apportioned accordingly: but the ratio is altered according to the relative increase of the population. The first number fixed was sixty-five: the fifth census, which made (1831) the population of the United States 12,856,000 persons, enlarged the ratio of population for representation, to one representative for every 47,700, and enlarged the house of representatives to 240 members.

By the constitutional rule of appointment, three fifths of the *slaves* in the southern states are computed in establishing the apportionment of the representation in the lower house, which is supposed to be delegated by the *free* citizens of the United States. This is considered as a necessary consequence of the previously existing state of domestick slavery in that portion of our country. The evil is supposed to be without remedy. If so, it is certainly an increasing evil. The allowing this constitutional approval of slavery, and permitting slaves to form a part in the representation of a nation of freemen, is supposed to have been a necessary compromise in forming the federal union, and to be in some measure balanced by the rule which extends direct taxes according to the apportionment of representation, as the slaves of the southern states, while thus those states have an increased number of representatives, contribute when direct taxation is resorted to, equally to increase the measure of their contributions. But the effect on representa-

tion is constant and certain ; direct taxation is contingent and probably never to be resorted to.*

Each house of congress is the sole judge of the election returns of its members and of their qualifications. A majority of each house constitutes a quorum to do business ; but a smaller number may adjourn from day to day, and compel the attendance of members. Each house determines the rules of its proceedings, and can punish its members for disorderly behaviour ; and two thirds can expel a member. Each is bound to keep a journal of its proceedings, and to publish such parts as do not require secrecy, and to enter the yeas and nays on the journal on any question, when desired by one fifth of the members present. Members of both houses are exempt from arrest during attendance, and in going to and returning from congress, except for treason, felony, or breach of the peace, and no member can be questioned out of the house for any speech or debate therein. It has been decided that the house can punish others than their own members, for contempt, as being necessary to self-preservation ; and that members of congress should be exempt from impeachment and punishment for acts done in their congressional capacity.

The house of representatives has the exclusive right of originating all bills for raising revenue : the bills are amendable by the senate in its discretion. The two houses are a check so entire upon each other, that one of them cannot even adjourn, during the session of congress, for more than three days, without the consent of the other, nor to any other place than that in which both are sitting.

The powers of congress are generally to provide for the common defence and general welfare : they are therefore authorized to lay and collect taxes, duties, imposts, and excises, to borrow money on the credit of the United States, to regulate commerce with foreign nations and among the Indian tribes, to declare war, and to define and punish offences against the laws of nations, to raise, maintain and govern armies and a navy, to organize, arm and discipline the militia, and to give full efficacy to all the powers contained in the constitution.

The house of representatives choose their own speaker : whereas, as we have seen, the president of the senate is chosen by the people, being the vice-president of the United States, and gives the casting vote on an equal division. The proceedings and discussions

* By Section 9 of Article 1 of the Constitution, congress was precluded from prohibiting "the migration of such persons as any of the states now existing shall think proper to admit" prior to 1808. Of course the importation of slaves from abroad is meant, which was abolished by Act of Congress of January 1st, 1808, and had previously been prohibited by most or all of the states within their respective limits. South Carolina was the last to renounce the humane and gainful traffick.

in both houses are publick. Secrecy is not congenial with republicanism.

In the passage of laws, one day's notice is required for leave to bring in a bill. Every bill must be read three times on different days before it can be passed ; and no bill can be committed or amended until after the second reading. Bills having been twice read in the house of representatives, are taken up by a committee of the whole house. When the speaker leaves the chair, and the chairman is appointed, the speaker takes part in debate. When passed through one house, a bill is transmitted to the other, and goes through similar forms ; though in the senate a bill is frequently referred to a select committee appointed by ballot. If altered or amended in the house to which a bill is transmitted, it is returned to the house in which it originated, and if the two houses cannot agree, they appoint committees to confer on the subject. When a bill is engrossed and has passed both houses, it is transmitted to the president for his approbation. If he signs it, it is a law ; if he does not, he returns it with his objections to the house in which it originated : the objections are entered on the journals of that house, and a reconsideration takes place. If two thirds of that house adhere to the bill, it is sent to the other house, where, if approved by two thirds, it becomes a law. In all such cases, the votes of both houses are determined by yeas and nays : the names being entered on the journals. The president is entitled to ten days for the consideration of a bill, and it must be returned by him within that time or it becomes a law without his signature, unless congress by adjournment prevents its return. The sending of bills to the president within the last ten days of the session, either shortens the time necessary for perusal and reflection, or gives him the absolute power of rejecting the bill, which he can do by merely retaining it, without assigning any reason. The qualified negative of the president is intended to give the executive a constitutional defence against the transcendent power of making laws. The head of the executive department is secured a requisite share of independence by this qualified veto ; and the judiciary power resting on a still more permanent basis, has the right of determining upon the constitutionality of laws.

In the English government the king has an absolute negative, which has not been exercised since the reign of William III. Indeed, the king or queen of that country is a mere phantom with the privilege of sensual gratification, while the power of the nation is wielded by an aristocracy which bows the knee in mockery of the pageant, whose only qualification necessary for enthronement is hereditary descent. Yet it is blasphemously said, the sovereign can do no wrong, by those who appear to worship and really govern.

The nominal kingdom is a real aristocracy which is daily encroached upon by the people.

The haughty dynasty of the Tudors were *real* monarchs, served on the bended knee with Asiatic servility. The Stuarts followed, and in succeeding to the throne, thought they grasped the same prerogatives; but the people were awakening, and the second tyrant of the Scottish line was brought to the block for struggling to retain that which he had been taught was his right. The people governed, and overthrew aristocracy, hierarchy, and monarchy, but had not attained the knowledge requisite to self-government, and consequently lost it. The Stuarts returned and prerogative was asserted again; until after a struggle of centuries, in 1688, a mingled monarchy and aristocracy governed, which has changed to the present aristocracy, daily yielding to the people, who still worship the sovereign and the lord, although the first is reduced to a pageant, and the second is so intimately blended with themselves as scarcely to retain any of the *sacredness* derived from blood. Yet it is this government so complicated in structure, so guarded by its laws and judiciary, that it is the best known in Europe. In 1831, it is asserted, that out of 658 members of which the English house of commons consisted, the number of 487 were elected by 144 peers and 123 commoners. Reform has since advanced, and popular elections have become somewhat more real.

To return home. The powers of congress as determined by the judiciary are, priority of payment over other creditors in cases of insolvency, or preference given to debts due to the United States. The power to create a bank. The right of pre-emption to all Indian lands lying within the territory of the United States. The title is in the United States by the treaty of peace with Great Britain and by subsequent cessions from France and Spain, and from the individual states. Leaving to the Indians only the right of occupancy, the United States having an absolute and exclusive right to extinguish that title of occupancy either by conquest or purchase. "The title of the European nations," says Chancellor Kent, "which passed to the United States to this immense territorial empire, was founded on discovery and conquest," and prior discovery gave this title to the soil subject to the possessory right of the natives. The United States succeeding to the European conquerors and discoverers admit no other than the right of occupancy to the Indians; to be protected while in peace in the possession of their lands, but to be deemed incapable of transferring the absolute title to any other than the sovereign of the country. Have they been protected in the possession of their lands?

The constitution gave to congress the power to dispose of and to make all needful rules and regulations respecting the territory or

other property belonging to the United States, and to admit new states into the Union. Cessions were made of territory by Virginia, Massachusetts, Connecticut, and New York. Before the adoption of the constitution, North and South Carolina and Georgia made similar cessions. The immense territories of Louisiana and Florida were obtained by purchase.

Power was vested in congress to prescribe the manner in which the publick acts, records, and proceedings of every state should be proved, and the effect thereof in every other state.

Congress have power for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to provide for the organizing, arming, and disciplining the militia, the states reserving the appointment of officers and the authority of training the militia according to the discipline prescribed by congress, who have government over such part as may be employed in the service of the United States, the president being their commander-in-chief. When called out, the militia are subject to the rules of war: court-martials to be composed of militia officers only, but to be considered as governed by the articles of war.

The authority of congress to appropriate moneys for internal improvements has not been decided by the judiciary.

The executive powers of the government of the United States are by the constitution vested in the president. The object of this department is the best possible execution of the law. The law once promulgated, no discretion is left to the executive officer. Promptitude, decision, and force are required, and these are most likely to exist in a single person. Unity increases both the efficacy and responsibility of the executive.

The constitution requires the president should be a natural-born citizen of the United States, or a citizen at the time of its adoption. He must be thirty-five years of age, and a resident of the country fourteen years. His appointment was to be made by electors not consisting of the body of the people, but appointed in each state under the direction of the legislature—congress determining the time of choosing the electors, the day on which they shall vote, and that the day of election shall be the same in every state. A subsequent act of congress directs the electors to be appointed in each state within thirty-four days of the day of election of president. Constitutionally, the number of electors must be equal to the whole number of senators and representatives which the state is entitled to send to congress; and it is provided that no person holding an office of profit or honour under the United States, shall be an elector. These electors are to meet in their respective states at a place appointed by the legislature thereof, on the first Wednesday in December, in every fourth year, and vote by ballot for the president and vice-president—one of whom, at least, shall not be an inhabi-

tant of the same state with the electors. It was subsequently to the formation of the constitution thought necessary to make it a rule, that the person voted for as president, and the one intended as vice-president, should be designated on separate ballots. The electors send signed and certified lists, sealed, to the seat of government, of all persons voted for as president and vice-president, and of the number of votes for each. These lists are directed to the president of the senate of the United States, who counts the votes in the presence of the members of the two houses and declares the result. If no choice is made by the electors, the house of representatives are to choose the person immediately : but the votes shall be taken by states—the representatives from each state having one vote. Two thirds of the states make a quorum, and the majority of all the states is necessary to a choice. If the house of representatives shall not choose a president, when the right of choice rests with them, before the 4th of March next following, then the vice-president shall act as president—as in the case of the death or other constitutional disability of the president. When the president is elected by the electors as is intended in the first place, it is in this manner decided : the person having the greatest number of votes of the electors for president, is president, if such number be a majority of the whole number of electors appointed ; but if no person have such majority, then, from the persons having the highest number, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president.

It is a most wise provision that the president shall be chosen by electors, and that they failing, the choice shall devolve upon the house of representatives. Individual rights and state sovereignties are protected. There is a tendency towards throwing elections into the hands of the populace, the majority of the people, who must of necessity be the most ignorant of the nation, and is at present composed to a great extent of foreigners. Our inhabitants are in more danger from the admission of unqualified electors to the polls, than from any other source in existence, or to be devised.

As now regulated the vice-president is chosen in the same manner as the president. If the number for any individual on the list, be a majority of the whole number of electors appointed, he is vice-president : otherwise, the senate shall choose the vice-president from the *two* highest numbers ; two thirds forming a quorum, and a majority of the whole being necessary to a choice. No person ineligible to the office of president, can be vice-president. The term of office, in both cases is for four years, commencing on the 4th of March next following the election. If the duties of president devolve constitutionally on the vice-president, he acts as such during the remainder of the term, unless the disability of the

president be removed. If both these offices are vacant, congress are authorized by law, to declare what officer shall act as president; and they have prescribed that the president of the senate, in the first instance, and in the next, the speaker of the house shall act as president until the vacancy is supplied. The constitution says, that each state is to appoint electors, in such manner as the legislature may direct. In New York they are now chosen by the people in general ballot. At first they were appointed by the legislature.

Four years are a reasonable term for the office of president, especially as he is eligible to re-election. In short, we may say, that the mode of election to this high office, has avoided the evils which the advocates of hereditary monarchy predicted, and has proved the absurdity of such a mode of establishing a chief magistrate, over any nation or people, as has enslaved the minds both of the wise and simple in the old world. The constitution provides, that the president shall receive at stated times for his services a compensation, that shall neither be increased nor diminished during the term for which he is elected: and that he shall not receive during that time any other emoluments from the United States, or any of the states. He is commander-in-chief of the army and navy of the United States, and of the militia of the several states when called into the service of the union. He has the power to grant reprieves and pardons for offences against the United States, except in cases of impeachment. He has the power, by and with the advice and consent of the senate to make treaties, two thirds of that house concurring. He has efficient power to appoint the officers of government: he is to nominate, and with the advice and consent of the senate, to appoint ambassadors, other publick ministers and consuls, the judges of the supreme court, and officers whose appointments are not otherwise provided for in the constitution. Congress may vest the appointment of inferiour officers in the president alone, in the courts of law, or in the heads of departments. The president is required to give information to congress of the state of the union, and to recommend to their consideration, such measures as he shall judge necessary and expedient. He is to convene both houses of congress, or either of them on extraordinary occasions, and he may adjourn them in case of disagreement. He is to fill up all vacancies that happen during the recess of the senate, by granting commissions, which shall expire at the end of their next session. He is to receive ambassadors and publick ministers, commission all the officers of the United States, and take care that the laws be faithfully executed. The power to receive foreign ministers, includes the power to dismiss them, for he is accountable to the people for the competent qualifications and conduct of foreign agents. The constitution renders the president directly amenable by law for all mal-administration. As well as other officers of the United

States, he may be impeached by the house of representatives for treason, bribery, and other high crimes and misdemeanours, and upon conviction by the senate, removed from office.

Other nations have solemnly said, that their first magistrate can do no wrong, yet have expelled him from his country. They have said, and say, he never dies, and take away his life on the scaffold. Such absurdities are here unknown. If the president violates the law, the house of representatives can arrest him in his career, and the senate punish his guilt and folly.

The judiciary department of our government, is if possible, more interesting to us, than the branches I have considered. The constitution declares, that "the judicial power of the United States, shall be vested in one supreme court; and such inferiour courts as congress, may from time to time, ordain and establish." In this case, congress have no discretion. The constitution is mandatory. The origin and title of the judiciary is equal with the other powers of the government, and is as exclusively vested in the courts created by the constitution, as the legislative power is vested in congress, or the executive in the president. The judges both of the supreme and inferiour courts, are rendered by the constitution independent both of the government and the people; they are to hold their offices during good behaviour, and their compensation for services cannot be diminished during their continuance in office. The judges are bound to consider the constitution as the supreme law, and consequently are a check upon the laws of congress, which may contravene it. But though the judges are thus independent, they are by the constitution amenable for any corrupt violation of their trust. The house of representatives having the power of impeachment, the judges may by that process be held to answer before the senate, and if convicted, they may be removed from office. The judicial power extends to all cases in law or equity arising under the constitution, the laws and treaties of the union; to all cases affecting ambassadors, public ministers and consuls; to all cases of admiralty and maritime jurisdiction; all controversies to which the United States shall be a party; to controversies between two states; to controversies between a state when plaintiff and citizens of another state, or foreign nations or subjects; to controversies between citizens of different states, and between citizens of the same state, claiming lands under grants of different states; and between a state, or citizens thereof, and foreign states; and between citizens and foreigners. The judicial department of the United States is thus the final expositor of the constitution as to all questions of a judicial nature.

The supreme court consists at present of a chief justice and six associate justices, four of whom make a quorum. It holds one term annually at the seat of government, and though four judges

are necessary for business generally, any one may make necessary orders in a suit preparatory to trial, and continue the court from day to day : and the judge of the fourth circuit attends at the City of Washington on the first Monday of August annually for interlocutory matters.

The supreme court has exclusive jurisdiction of all controversies of a civil nature where a state is a party, except in suits by a state against one or more of its citizens, or against citizens of other states, or aliens, in which case it has original but not exclusive jurisdiction. It has also, exclusively, all such jurisdiction of suits, or proceedings against ambassadors, or other publick ministers, and their domesticks or domestick servants, as a court of law can have or exercise consistently with the law of nations ; and original but not exclusive jurisdiction of all suits brought by ambassadors or other public ministers, or in which a consul or vice-consul shall be a party. The constitution also gave the supreme court appellate jurisdiction both as to law and fact, with such exceptions, and under such regulations as congress should make. It has also appellate jurisdiction over the decisions of the state courts, under the limitations which congress has prescribed, touching the construction and effect of the constitution, laws and treaties of the United States. Certain cases may be examined by writ of error, and reversed or affirmed after decision in the circuit courts.

The supreme court is also armed with that superintending authority over the inferiour courts which ought to be deposited in the highest tribunal and dernier resort of the people of the United States. It has power to issue writs of prohibition to the district courts when proceeding as courts of admiralty and maritime jurisdiction, and to issue writs of *mandamus* in cases warranted by the principles and usages of law, to any courts appointed by, or persons holding offices under, the authority of the United States. This court, and each of its judges, have power to grant writs of *ne excut*, and of injunction ; but the former writ cannot be granted unless a suit in equity be commenced, and satisfactory proof be made, that the party designs quickly to leave the United States ; and no injunction can be granted to stay proceedings in a state court, nor in any case, without reasonable notice to the adverse party. All the courts of the United States have power to issue all other writs necessary for the exercise of their respective jurisdictions, and agreeable to the principles and usages of law.

The circuit courts are established in the districts of the United States, and usually consist of one of the justices of the supreme court, together with the judge of the district. They are invested with original cognizance, concurrent with the courts of the several states, of all suits of a civil nature at common law or in equity where the matter in dispute exceeds five hundred dollars

exclusive of costs, and the United States are plaintiffs, or an alien is a party, or the suit is between a citizen of the state where the suit is brought, and a citizen of another state. They have cognizance generally of crimes and offences cognizable under the authority of the United States. But no person can be arrested in one district for trial in another, and no civil suit can be brought against an inhabitant of the United States out of his district. The circuit courts have likewise appellate jurisdiction from judgments in the district courts over fifty dollars; and in certain cases where the judiciary of the United States has jurisdiction either of the subject in controversy, or of the party, suits may at an early period of the cause be removed from a state court into the circuit court of the United States. The circuit courts have also original cognizance in equity and at law of all suits arising under the law of the United States relative to the law of copyrights, inventions, and discoveries. They are courts of *limited* though not of *inferiour* jurisdiction.

The district, as well as the circuit courts are derived from the power granted to congress of constituting tribunals inferiour to the supreme court. The district courts have, exclusive of the state courts, cognizance of all lesser crimes and offences cognizable under the authority of the United States, and committed within their respective districts, or upon the high seas, and which are punishable by fine not exceeding five hundred dollars, by imprisonment not exceeding six months, or when corporal punishment not exceeding thirty stripes is to be inflicted. They have also exclusive original cognizance of all civil causes of admiralty and maritime jurisdiction, of seizures under impost, navigation, or trade laws of the United States, where the seizures are made upon the high seas or in waters within their districts navigable from the sea with vessels of ten or more tons burthen; and also of all seizures made under the laws of the United States; and also of all suits for penalties and forfeitures incurred under those laws. Concurrent with the circuit and state courts, they have cognizance of cases where an alien sues for a tort committed in violation of the law of nations or of a treaty of the United States, and of all suits at common law, in which the United States are plaintiffs, amounting to one hundred dollars. They have jurisdiction likewise, exclusive of the courts of the several states, of all suits against consuls or vice-consuls, except for offences of magnitude higher than above. In case of captures made within the waters of the United States or within a marine league of its coasts, they have cognizance of complaints by whomsoever made. They are authorized to proceed by *Scire facias* to repeal patents unduly obtained. In certain cases their judges have power to grant writs of injunction to operate within their districts. Guards are provided against the evil of a difference of

opinion between the circuit judge and the district judge. The remedies are in the supreme court. The principal officers of the courts are attorneys and counsellors, clerks and marshals. The parties are expressly permitted to manage their own causes.

Clerks are appointed by the several courts, except that the clerk of the district court is *ex officio* clerk of the circuit court of such district. They have custody of the seal and records, and are bound to seal and sign all processes, and to record the proceedings and judgments of the courts. They must give security for faithful performance.

Marshals are analogous to sheriffs at common law. They are appointed by the president and senate for four years, removable at pleasure. They may appoint deputies. The marshal also gives security to the United States for the faithful performance of his duty.

The powers granted by the constitution are specifick. The powers vested in the state governments continue unaltered and unimpaired, except so far as they are granted to the United States. The people of the United States have declared the constitution to be the supreme law of the land. That which is repugnant to the constitution is necessarily void. This makes nugatory every act of congress, or of any state, that is in opposition to the constitution of the United States. The supreme court of the United States has the power to decide, and there is no appeal from its decision. The original jurisdiction of the supreme court is confined to those cases which affect ambassadors, public ministers, and consuls, and to those in which a state is a party. It is a question whether this original jurisdiction is exclusive. The appellate jurisdiction of the supreme court, in certain cases, over final decisions in the state courts is undoubted; but it exists only in those cases in which it is affirmatively given: therefore the appellate jurisdiction of the supreme court depends upon congress. The constitution says that the judicial power shall extend to all cases arising under the constitution, laws, and treaties of the United States. It has been a subject of discussion whether the courts of the United States have a common law jurisdiction, and, if any, to what extent. Yet in many cases, the language of the constitution and laws would be inexplicable without reference to the common law; and the constitution not only supposes the existence of the common law, but it is appealed to for the construction and interpretation of its powers.

The District of Columbia and the territorial districts of the United States, are not states, within the sense of the constitution.

The district courts act as courts of common law and also as courts of admiralty. Whatever admiralty and maritime jurisdiction the district courts possess is exclusive; for the constitution de-

clares that the judicial power of the United States shall extend to *all cases* of admiralty and maritime jurisdiction.

In these cases, the alienation of state power or sovereignty exists, to wit: where the constitution in express terms grants an exclusive authority to the union, and in another prohibits to the states the exercise of a like authority; and where it grants an authority to the union, to which a similar authority in the states would be absolutely and totally contradictory and repugnant. This is the description of the powers given by the constitution, as stated by the *Federalist*, and approved by Kent and Story.

The limitation of the power of the states contained in the constitution do not apply unless expressed in terms. "No state shall enter into any treaty, alliance, or confederation: grant letters of marque, and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder or *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility." These and some other prohibitions as respecting duties, the keeping troops or ships of war in time of peace, etc., without permission of congress, speak for themselves. Bills of credit are defined to mean "promissory notes or bills issued exclusively on the credit of the state." The prohibition does not apply to the notes of a state bank, drawn on the credit of a fund set apart for the purpose.

By the constitution congress have power to establish a uniform rule of naturalization; and to "regulate commerce with foreign nations and among the several states."

This brief view of the constitution of the United States, will I hope prepare the reader for the history of the New York convention of 1788, which forms an important part of the history of the state, and to which we will shortly direct our attention. The convention of New York addressed a circular letter to the several states of the union, inviting them to call a general convention to revise the constitution. Nor is this to be wondered at considering all the circumstances of our state, and the conflicting interests that were to be reconciled by that instrument.*

1788 The legislature of New York met this year in January, and the subject of calling a convention to consider the proposed Federal Constitution caused warm debate. Parties assumed

* As to the construction of the constitution, besides the *Federalist*, see Kent's Comm., Vol. I. Story's Constitutional Law. It will not be proper in a work like this, to refer to the numerous judicial decisions by which its construction has been ascertained and settled. These decisions, so perspicuous, so free from technicality as to be intelligible to any man of understanding, although not belonging to the legal profession, were for the most part pronounced by the late illustrious Chief Justice Marshall, "The mantle of Elijah!" a hackneyed allusion.

the names of Federalist and Anti-federalist. The first approved the measures of the great convention at Philadelphia and the constitution they proposed: their opponents declared, that in forming a new constitution that convention had exceeded their powers, as they had been convened merely for the purpose of revising the articles of confederation then existing.

The Anti-federalists nominated in April, for delegates to the assembly from the City of New York, William Denning, Melancthon Smith, Marinus Willet and Aaron Burr; but the Federal candidates had a great majority.

Before proceeding to the more important events of this year, I will briefly notice an occurrence in the City of New York, which at the time produced no little alarm and excitement.

On Sunday the 13th of April, some boys who were at play about the Hospital, in the City of New York, then out of town, by climbing on scaffolds left by workmen, saw the mutilated bodies or limbs of human subjects left by students of surgery in a room then used for dissection. The report spread, and a mob collected, whose rage was inflamed against all physicians and surgeons, especially a young man of the name of Hicks, against whom and some others the vengeance of the multitude was vowed. Three or four days the mob increased and paraded the streets with threats of violence. The house of Sir John Temple, the British consul, in Queen Street, was with difficulty saved. It was said "Sir John" was misinterpreted "Surgeon." The writer saw Governour Clinton exerting himself, and with effect at this place, although hustled at one time by the rioters. Many irritating, though doubtless exaggerated stories, were in circulation as to the disinterment of human bodies for anatomical purposes.

On the 16th of April, the sheriff represented to the common council the insecurity of the jail, in consequence of damages done to it by riotous persons; (the mob just alluded to,) and it was resolved, that an officer and fifteen men were necessary for the security of the jail, and a committee was appointed to wait on Governour Clinton and request such guard from the militia of the city, and the board would provide for their subsistence. The company of grenadiers, in marching to the jail had arms wrested from many of them by the mob. The doctors, Hicks and others, were in jail for protection, and the rioters attacked the place. Some troops were thrown in, and it was said, one of the mob in attempting to force his way in at a window, fell by a thrust of a bayonet. A committee was appointed to repair the jail.

February 1st, the legislature of New York resolved that the resolution of congress of September, 1787, and letter accompanying, recommending to the people of New York to choose by ballot delegates to meet in convention for the purpose of taking into con-

sideration the constitution agreed upon by the convention from the states met at Philadelphia should be complied with ; that the number of delegates to be elected be the same as the number of members of assembly ; that all free males of twenty-one and upwards be voters ; that the election be held the last Tuesday of April, 1788, and continued not more than five days, with other directions for said election : and consequently the following gentlemen were returned, viz :

From the *City and County of New York*—John Jay, Richard Morris, John Sloss Hobart, Alexander Hamilton, Robert R. Livingston, Isaac Roosevelt, James Duane, Richard Harrison, and Nicholas Low. 9.

City and County of Albany—Robert Yates, John Lansing, Jun., Henry Outhout, Peter Vroman, Israel Thompson, Anthony Ten Eyck, and Dirk Swart. 7.

Suffolk—Henry Scudder, Jonathan N. Havens, John Smith, Thomas Tredwell, and David Hedges. 5.

Ulster—Governour George Clinton, John Cantine, Cornelius C. Schoonmaker, Ebenezer Clark, James Clinton, and Dirk Wynkoop. 6.

Queens—Samuel Jones, Jonathan Schenck, Nathaniel Lawrence, and Stephen Carman. 4.

Kings—Peter Lefferts, and Peter Vandervoort. 2.

Richmond—Abraham Banker, and Gozin Ryers. 2.

Westchester—Lewis Morris, Philip Livingston, Richard Hatfield, Phillip Van Cortlandt, Thaddeus Crane, and Lott W. Sarls. 6.

Orange—John Haring, Jesse Woodhull, Henry Wisner, and John Wood. 4.

Dutchess—Zephaniah Platt, Melancthon Smith, Jacobus Swartwout, Jonathan Akin, Ezra Thompson, Gilbert Livingston, and John De Witt. 7.

Montgomery—William Harper, Christopher P. Yates, John Frey, John Winn, Volkart Veeder, and Henry Staring. 6.

Columbia—Peter Van Ness, John Ray, and Matthew Adgate. 3.

Washington and Clinton—Ichabod Parker, John Williams, Albert Baker, and David Hopkins.

They met at the Court House, in Poughkeepsie, in the county of Dutchess, on the 17th of June, 1788, where they elected unanimously Governour George Clinton, president.

Subordinate officers being appointed, it was ordered that the convention debate with open doors, and commence with prayers ; after which, Messrs. Duane, Jones, R. Morris, Lansing, and Harris,* were chosen a committee to report rules.

* As there was no Harris, either Harper, Haring, or Harrison, is probably meant.

Rules, as is common, being agreed upon, the constitution was read on the 19th, and Robert R. Livingston addressed the chair. He professed to speak to those who had not made up their minds on the subject before them. The object of government was to secure peace. The deficiency of the former confederation was obvious. The people of the United States were blessed with an opportunity afforded to no other nation for forming a government to secure happiness. In the old world, kings would retain their power. Here it was acknowledged *that all power is derived from the people*. He advocated the constitution presented to them. Perfection was not to be expected. Jealousies must be eradicated, and our union secured upon a broad basis. He touched upon the state of the United States, and dwelt on the advantages New York possessed for internal and external commerce and improvement. He feared that a prospect of these advantages had excited an improper confidence in ourselves—had rendered us regardless of what was due to other states. He remarked upon the blessings of union among the states—the defenceless situation of New York, if standing alone, if the neighbouring states should be hostile—recommended yielding her independence to Vermont, and showed the dangers to New York of the British colonies and the Indians. He argued that our wealth and our weakness equally demanded union with the other states.

He took a view of the old confederation, and showed its insufficiency—the British holding possessions within the limits of New York, and no power to redress the grievance—national credit unstable—commerce unprotected. If the former confederacy was insufficient, *more power must be added*. He pointed out the deficiency of European confederacies, and dwelt on that of the Netherlands, who when struggling for every thing most dear, permitted the burthen of the war with Spain to be borne by Holland alone. He showed the evils of the Germanick league as arising from the total independency of its parts.

He observed that congress should have the power of regulating the militia—the power of regulating commerce. He spoke of the necessity of a Federal judiciary—and commended generally the constitution as submitted. It was then proposed, and agreed, that no question should be put in the committee upon the proposed constitution, or any article or clause thereof, until after the said constitution and amendments should have been considered, clause by clause.

On the 20th, Mr. Lansing addressed the chair.

Mr. Lansing thought we ought to be extremely cautious how we gave distinct interests to the rulers and the governed. That the *state governments* would always possess a better representation of the opinion of the people—power could be deposited with greater

safety with the state than with the general government. He thought the present confederation capable of amelioration, though sensible of its defects. External and internal disquiet or insult could be prevented, if congress were vested with power to raise men and money, and power to enforce its requisitions. The regulation of commerce should be vested in congress. He thought congress would be unwise to risk a war with Britain for the posts, until we had a fleet to cope with that nation. The present difficulties of the country arose from the extravagant importation of European goods, upon the termination of war with England. He was sensible of the value of union, but would not even for it, risk the loss of civil liberty. He thought the powers proposed to be given to the Federal government would place us in the situation of people conquered and governed by those they had not chosen as governours, and supposing New York conquered and governed by New England—where manners and institutions were like her own, the evil would not be very great. He had already published in a pamphlet his apprehensions that a consolidated government of republican principles, having for its object the control of so extensive a territory as of the United States, could not preserve the rights and liberties of the people—reflection had added force to the opinion. His constituents wished amendments to the *present* confederation.

The chancellor (Mr. Livingston) in reply, thought the power to coerce requisitions, would act awkwardly and badly.

Mr. Melancthon Smith was a man of rough exterior, powerful in bodily appearance, and undaunted in expressing his mind, which he did in plain language, but with a sarcasm that was cutting, and a humour correct and playful.

Mr. Melancthon Smith called for the consideration of the constitution by paragraphs; and the first section being read without remark, he again rose after the second was read. He would sacrifice all, except our liberties, to union. But why are our weaknesses dwelt upon? He did not believe the eastern states inimical. But if war with our neighbours was to be the result of not acceding to the proposed constitution, there was no use in debating. "We had better receive their dictates than be unable to resist them." We know the old constitution bad, but do not know the new one to be good. Defective as the old one was, we might have a worse. Former confederacies had failed, so had other governments. Holland had experienced evils; but she yet existed and flourished. The Germanick confederacy was one of princes who consider their people as property; *there* other causes for evil existed besides those of the confederacy. He was pleased that Livingston had acknowledged that the purpose of the new constitution was not a confederacy, but a consolidated government. From this concession, it was evident that the opposers of the new constitution were the

Federalists, and the upholders Anti-federalists. Montesquieu had said that a confederated republick has all the internal advantages of a republick, with the external force of a monarchical government. After some remarks on the figures and similes used by those who preceded him, he stated his objections, and first, to section second of article one, clause three. First, the rule of apportionment is unjust. Second, there is no precise number fixed on, below which the house shall not be reduced. Third, inadequacy : the rule of apportionment of representatives is to be according to the number of white inhabitants, with three-fifths of all others, i. e. in addition to representatives of the whites to three-fifths of the slaves in the state. He exposed the absurdity of giving power to a man who could not exercise it. The intention is obviously to give privileges to those people who are so wicked as to keep slaves. He knew the injustice of this apportionment would be admitted, and the necessity of accommodation pleaded, if we would have union with the south. We might be under the necessity of submitting to this, though utterly repugnant to his feelings.

He thought one representative for every 30,000 of the people not enough: the people would not govern themselves. He acknowledged the difficulty. He knew the experiment of representative government had not yet been fairly tried. He considered it in other times and countries. America had the best opportunity for trying this experiment, but he did not think it consistent with a consolidated government. He thought the state governments alone could secure the rights of the people. We were yet in a stage of society in which we could deliberate freely; he feared that fifty years hence it would not be so. Already patriotism was laughed at.

Government he said must rest upon "the good opinion of the people." He thought the inefficacy of the present confederation was owing to want of confidence in it, and that arising from declaimers who compared it to "a rope of sand;" these declaimers being fashionable and leading people. The ills the people felt, arising from their own extravagance, they attributed to the government. He closed his speech by a motion that the number of representatives be fixed at one for every 20,000 until they amounted to 300, and apportioned among the states by the number of inhabitants, and that "before the first enumeration, the several states shall be entitled to choose double the number of representatives for that purpose mentioned in the constitution."

The next speaker was Alexander Hamilton.* He defended

* During the sitting of the convention, three of the members, Hamilton, Madison and Jay, published in the papers of the United States that admirable work afterwards collected and called the *Federalist*.

Robert R. Livingston's first speech, and set himself in opposition to Lansing and Smith. He agreed with Livingston as to the weakness of New York, yet hoped we should not sacrifice our liberties: that we ought not to be actuated by unreasonable fear, but by a prudent regard for the public welfare. The radical vice of the old confederation is that the laws of the union only apply to states in their corporate capacity. Instead of obeying the law, the state examined it; and by its own peculiar interests. Thus thirteen bodies judged congress, and each took its own course. If the requisition benefitted the individual state it was complied with, otherwise not. This state bore unequal burthens owing to the delinquency of others. In time of war this state is exposed, and will ever be the theatre of war. In the last war New York suffered greatly, yet complied with the requisitions of congress, while New Hampshire, not suffering, was totally delinquent. North Carolina is delinquent. Many other states contributed but little. New York and Pennsylvania are the only states that perfectly discharged the Federal duty. The security of many states caused their non-compliance with the requisitions of congress. To force a compliance made civil war necessary, with all the horrors of disunion. The remedy is that the national laws shall operate upon individuals, as the state laws do. He insists on the want of confidence in a *single assembly*. The fundamental principle of the old confederation must be discarded; a new system adopted.

He alludes to the Amphictyonic confederacy. The Dutch—the German—are noticed, because brought into view by others. Confederacies have hitherto been founded on false principles.

“During the war, common danger prevented the operation, in its full force, of the ruinous principle on which the old confederation was founded.

“The country is divided into navigating and non-navigating states. The northern are the first: the southern the second. The southern states wished to impose a restraint upon the northern, by requiring two thirds in congress to be necessary to pass an act in regulation of commerce. They feared that a navigation act would discourage foreigners, and throw navigation in the hands of the northern states, and thus enhance freight to the south. Again, the small states wished to retain their present advantages, and the large states thought Rhode Island and Delaware ought not to enjoy an equal suffrage with themselves—hence a contest—compromise was necessary. A committee was appointed, and they formed the arrangement as it stands. The convention could not establish, but only recommend a constitution. It is objected that three fifths of the negroes are taken into the representation. The south is unfortunate that a great part of the population as well as property is in blacks. Without this indulgence by accommodation, no union could have been

formed. But he insisted, that it was just to gratify the south. They possess certain staples—tobacco, rice, indigo—capital articles in treaties of commerce; and the advantages they obtain in treaties, are felt by all the states. Again: representation should be compounded of persons and property. Slaves are not considered altogether as property. They are men, though degraded to the condition of slavery. They are persons known to the municipal laws of the states which they inhabit, as well as to the laws of nature. It would not be just to compute these slaves in the assessment of taxes, and discard them from the apportionment of representatives. Besides that a great number of people in the state of New York who are not represented, will be included in the whole enumeration.”

Mr. Hamilton proceeded to consider the objections to the number of representatives. “There are no direct words prohibiting congress from reducing the number; but the construction of the clause gives no such power. They may limit, but cannot diminish. One to every thirty thousand is fixed as the standard of increase, till by the increase it becomes necessary to limit the ratio. At present, it might considerably exceed sixty-five. In three years, it would exceed one hundred. To what point the representation ought to be increased, is matter of opinion. In Massachusetts, the assembly consists of three hundred; in South Carolina, one hundred; in New York, sixty-five. Congress is to consist at first of ninety-one members. New states may be created, which is another source of increase. If our number at present is three millions, one for thirty thousand gives one hundred representatives. In twenty-five years, we shall have two hundred.”

He then considered the natural advantages of the state governments—giving them an influence and ascendancy over the national government—precluding, as he said, the possibility of Federal encroachments.

June 21st, Mr. Jonathan Williams, elected from Washington and Clinton counties, addressed the chair. He would attribute the distress of the country to habits of luxury, and the introduction of foreign commodities. The article of tea will amount in two years to all our foreign debt. All our present difficulties are not to be attributed to the defects in the confederation. He thinks the question before them momentous. The constitution must not swallow up the state governments. He thinks the number of representatives too small to resist corruption. He objects to biennial elections. Annual elections are more democratick. He would not establish a bad government for fear of anarchy.

Melancthon Smith rose in opposition to Mr. Hamilton. He admits with him that the powers of the general government ought to act upon individuals to a certain degree. He will confine him-

self to the subject under consideration. He will not reply to the arguments to justify the rule of apportionment, though confident they might be refuted. He is persuaded that we must yield this point to accommodate the south. He does not see that the clause fixes the representation. He sees that the representatives cannot exceed one for thirty thousand, and that whatever larger number of inhabitants *may be taken* for the rule of apportionment, each state shall be entitled to send one representative. If there is any other limitation, it is certainly implied. He thinks each member's share of power will decrease by an increase of representatives; and that the senate and president will in like manner feel their power diminished. He argues for a great number of representatives, and thinks the increased expense nothing. He hints at the state legislatures becoming insignificant. He details the qualifications of a representative of the people, that he knew them, their interests, wishes, etc. For this reason the number should be large enough to take in the middling classes. He thinks the federal government is so constituted as to be confined to the first class or natural aristocracy of the country. It is true we have no legal distinction of this kind; but birth, education, talents, and wealth create such distinctions. When the number is small, men of the middling classes will not be anxious, even if qualified, to become representatives, as the style of the richer representatives will deter them. Beside, the influence of the great will enable them to carry elections. A substantial yeoman will hardly ever be chosen. He thinks the substantial yeomen of the country, from necessary mode of life and self-denial, more temperate and of better morals than the great. The rich do not feel for the poor, because they do not know their difficulties.

Mr. Smith compared the feelings of the great in this country, to those of a hereditary nobility. The pride of family, wealth, talents, command an influence over the people. Congress in 1775, have stated this in their address to the inhabitants of Quebec, and that good laws were opposed to such influence. He would have the first class or great, admitted into congress; but a sufficient number of the middling class to control them. A representative body composed of yeomanry, is however, the last. He dreads the progress of anti-republican and anti-democratick principals, which he says, are already prevalent, even among those, who risked all for republicanism a few years ago. The men who now ask for an energetick government, will want something beyond the system now composed, in a few years. It is time to erect a barrier against such men.

Hamilton was the next speaker. He had pointed out the principle of accommodation, on which the constitution was framed. He contends that sixty-five and twenty-five representatives, in two bodies, afford security to liberty. The interest of the large states

will be to increase the representation. The sense of the people will guide their delegates, as they know they must return to the people. He adduced other arguments against the proposed amendment.

He asserted that a pure democracy must be a bad government. The whole people assembled were a mob. The confidence of the people will be gained by a good administration, though in few hands. Massachusetts is represented by three hundred, New York by sixty-five. The people of the latter have as much confidence in the government as the former. Publick confidence is secured by prosperous events. Large bodies are less competent to govern than small ones. The requisite information for well governing, is not augmented by the increase of the governing.

The proper mode of holding elections, is to divide the state into districts. This state at present should have six. The senators of this state are not more deficient in knowledge, than members of assembly. They have the confidence of the people as much. Yet they are elected in four districts. They are the fewer, but possess the confidence of the people as much as the more numerous house.

“Who are the aristocracy among us?” None are elevated to perpetual rank. There are rich and poor—wise and unwise. Every distinguished man is an aristocrat. The intended government does not render a rich man more eligible to govern than a poor one. It is bottomed on the same principle as the state constitution. [The absence of those laws of primogeniture, of which perpetual wealth is a security, are omitted here.]

As riches accumulate in a few hands, the tendency will be to depart from “the republican standard.” It is the common misfortune attendant upon all states.

An advantage which large districts have over small, is the greater difficulty to bribe.

Men do not grow wicked in proportion as they enlighten their minds: there is as much virtue in one class of men as in another. The kind of vices incident to rich and poor is different, and the advantage lies with the rich. Their vices are more favourable [less detrimental] to a state, and partake less of moral depravity. But the people must choose whom they please to govern—that is the true principle. Where the legislative, executive and judicial branches are distinct; where the legislature is divided into separate houses; and where the vigilance and weight of the state governments check the general government, it is absurd to talk of a subversion of liberty.

It is a false supposition that the old confederacy was inefficacious because it was decried—no government can be rendered unpopular, whose operations are wise and vigorous. The confederation

was framed amidst tumult—the materials were unsound, and combined in haste. The pressure of war prevented amendment, or the appreciation of the faults of the government. That pressure removed, the cause of sufferings past, and the certainty of those to come, were seen. The spirit of republicanism has not diminished. Some men who have speculative doubts on the subject of government have expressed them ; but the principles of republicanism are too firm to be shaken by sceptical reasons. He concluded, by hoping that the constitution would remedy all the evils dreaded.

Mr. Melancthon Smith spoke in reply, and insisted upon the necessity of increasing the intended representation, and limiting the powers of the new government. As to the states being checks upon the general government, he could see no possibility of checking a government of independent powers, which extended to all objects and resources without limitation. As to aristocracy, he did not consider the men who were exalted above others, as destitute of virtue or morality : he only insisted that they could not sympathize with the wants of the people.

Mr. Lansing was an advocate for larger representation as well as Mr. Smith. We ought now to increase the members, and not leave it to future circumstances. It was not prudent to trust affairs to a body of which forty-six would be competent to pass laws ; and twenty-four of these a majority. There were eight times the number in the commons of Great Britain, and yet, that house was frequently corrupted. How much more easily so small a body as congress.

Governour Clinton professed a wish to obtain information on the important subject. Gentlemen appear to have omitted some considerations. He thought, however, the representation in congress, ought to be more full. The smallness of each state, renders it easy for members in its house of representative, to be informed of all that is requisite, but this is very different in respect to the United States. The generality of the representatives will be unacquainted with the local wants and wishes. A few men must be depended upon for this information. Is not this a reason for enlarging the number of representatives ? The legislators in a state, are known to their fellow citizens. Not so in the great council of the nation.

A law calculated for Georgia, might act cruelly upon New York, and the gradual encroachments made by one part, would not be seen in time by another.

Mr. Hamilton professed to answer the member from Ulster, (Gov. Clinton) but would first reply to the gentlemen from Albany and Dutchess, (Lansing and Smith.) As to the danger of corruption : the chances of corruption are less under the new than the old

constitution. Under the old, nine states could declare peace or war. A great question required twenty-four members to decide in the new : in the old eighteen. It will ever be the interest of the several states to maintain an ample representation under the new constitution : “for as every member has a vote, the relative influence and authority of each state, will be in proportion to the representatives she has in congress.” Under the old confederation, as every and each state has but one vote, it is indifferent, whether the state has two or six representatives. As to corruption in the old congress—if nine states can pass the most important resolves, a foreign enemy by gaining a single member, and thus silencing a state, may frustrate an essential resolution. But in the new scheme, a majority of all the members must be gained. Comparisons between our government and that of England are false: many towns in England possess a seat in parliament, and are in the possession or gift of the king. These are called rotten boroughs. But the knights of the shire are generally found incorruptible—parliament has impaired the overgrown prerogative, and limited the monarchy. Mr. Melancthon Smith has observed, that members from New York, for example, can know little of the circumstances of Georgia or South Carolina ; and therefore, the many must rely upon the few for information. A particular knowledge of local circumstances is not necessary to the Federal representative. His object is the general interest. The state government must take care of local affairs. One man can know and represent the interest of a state as well as twenty. The representative in congress must obtain his knowledge of local affairs in other states, from the members representing those states. In congress, the members of a state adhere too pertinaciously to the interests of the state from which they come. This causes party spirit, and embarrasses the publick affairs. As to internal taxation, the national legislature will not resort to it, except in very extraordinary cases, and then they must consult the customs adopted by individual states. The state legislatures will be sentinels on the encroachments of congress. The argument that goes to prove that the habits of the several states and their interests are essentially different, and therefore, no government can suit them, is opposed to all union. But the spirit of accommodation, which produced the present constitution under consideration, will by degrees assimilate all the states.

Governour Clinton denied being adverse to a union. He wished for a Federal government, though Mr. Hamilton might wish for a consolidated one. Mr. Hamilton explained.

Monday, June 23d.—Mr. Harrison said, gentlemen agreed that the old government was incompetent: feeble requisitions, that may, or may not be attended to, are not sufficient. It is likewise agreed, that a close union is necessary. It is agreed, that however desira-

ble such union, liberty must not be sacrificed to it. He advocated the number agreed to, in the new constitution, and thought six members from New York can be at all times found to represent the feelings and interests of the people, and the present arrangement is temporary, and remedies itself. The constitution declares, that the representation shall be determined by the population, and every state shall have at least one. Congress cannot reduce the present number. As the United States increase, the representatives at the present rate would become a mob: therefore, congress have a discretionary power to form another ratio. He supports the article in debate. In three years an increase will take place in the number, and he has confidence that corruption will not be felt before that time, in the present limited number.

Mr. Lansing, said, that when the subject of apportionment of representatives, came before the general convention, the large states insisted "that the equality of suffrage should be abolished." This the small states opposed—it would reduce them to a state of subordination. The difficulty threatened a dissolution of the convention. A committee of states was agreed upon, and they reported a recommendation of that inequality in representation, which is now the subject of debate. The ratio was first determined at one for 40,000. At this period, "I left the convention." No question had been taken. "It is acknowledged, that if the people of the smaller states, shall amount to 50,000, this number may be taken as the ratio. What then is to control the general government?" He contends that if the interest of the large states leads to increase, the interest of the small leads to a diminution of the number, and their equality in the senate will enable them to oppose the large states successfully. He thought the subject had been sufficiently discussed.

Mr. Lansing said, 40,000 was the number agreed upon, and he did not know, if that had been determined by accommodation, how the number came to be reduced to 30,000.

Mr. Hamilton said, such (40,000) was agreed to, but after other parts were agreed to and the convention was about rising, his excellency, the president, expressed a wish for reduction to 30,000, and it was agreed to without opposition.

Chancellor Livingston thought Mr. Melancthon Smith, had misapprehended *his* argument; he advocated the number fixed by the new constitution. As to the people, he would have their interests, not their feelings represented. The rich are objects of envy, and envy is a bar to promotion. The governour of the state was not elected for his riches, but his virtues. He would prove that the rich and great are not aristocrats. He would place Mr. Smith among the aristocrats for his merit. The people will confide in

distinction of any meritorious kind. Power is no objection to the new government. All good government must have power, the purse and sword. He compliments Hamilton's idea, that the ratio of representation must be governed by the population of Delaware, as the lowest, and yet entitled to *one*. He thinks the sense of the people *not* in favour of a large representation.

Mr. Melancthon Smith rose again. He meant and expressed that the interests of the people, not their feelings, should be represented. Chancellor Livingston opposing him, distorts his ideas. His idea of aristocrats is not new.

Mr. John Jay for the first time addressed the chair. It seemed to be generally agreed that a strong Federal government is necessary to the United States. He called upon Mr. Smith to know if he understood him, that our country is too extensive for a complete representation; and Mr. Smith answered that he thought a proper representation for a strong Federal government was unattainable under the proposed constitution. Mr. Jay went on—No Federal government is worth having, unless it provides for the interests of the United States. If the proposed constitution *does so*, it is what we want. He thinks the number provided for representation sufficient, under present circumstances. As to corruption, during the last war there were generally less than sixty-five men in congress, and Great Britain could not corrupt a majority. The old congress was more liable to corruption than the intended one, because a foreign power, by bribing one member, took off the vote of a state—two members being necessary to a vote, and seldom more than two attending.

Mr. M. Smith said a few words in support of his amendment, and the convention adjourned.

June 24th—the 3d section of the 1st article being read, Mr. G. Livingston said, the senate would have powers co-extensive with the house of representatives, except as to originating revenue laws; they would have greater importance, as they were a smaller and firmer body, and continuing longer in office, gave them more dignity. He thought these powers made them dangerous. They had likewise powers in a judicial capacity, and in forming treaties; they were likewise a council of appointment. He thought these powers too great, and subversive of liberty. Senators would associate with senators, forget the people, and become the aristocrats of the land. He would shorten the term of office, and lessen their powers. He moved *that no person be eligible as senator more than six years in any twelve, and the state legislatures have power to recall their senators and elect others.*

Mr. Lansing said, he thought it was the intent of the framers of the constitution to make the power of representatives the organ of

the people, and the senate *that* of the states : therefore the states ought to have a control over the senators. The idea of rotation he liked. He wished the power of recall to exist. Removing members would check party spirit, which had been known to prevail. He thought evils might result from the small number of senators.

Chancellor Livingston said, six years was not too long time for a senator to remain such, considering his duties and the knowledge required to perform them. Evil would result if the state could recall. He ridiculed the notion of corruption started by G. Livingston, or of the senators rendering themselves perpetual.

Mr. Lansing said, the object of the amendment was to make senators more independent of the state legislatures. He thought senators would be elected who had knowledge of foreign states, and therefore need not be continued in office to gain that knowledge. And if one third go out every two years, cannot those who come in obtain knowledge from those who remain? The power of recall existed in the old confederation, and although not used, might deter from corruption. The senate do not originate money bills, but it, by its power to declare war, makes them necessary. All publick bodies are liable to corruption.

Chancellor Livingston noticed an error. The senate had not a right to declare war ; it required the whole legislature. The power of recall would subject the senator to the parties in the state.

Mr. Richard Morris, from the city and county of New York, spoke for the first time, and advocated the freedom of senators from a power of recall.

Mr. G. Livingston asked, if any person would suppose that a state being invaded, any other state would refuse its protection ?

Mr. Harrison not only agreed that a vigorous government was necessary, but that it be divided into two houses. The lower house represents the people, the senate is to give stability to government. He did not agree to either rotation or recall. He would have the meritorious senator liable to re-election. Shall we deprive the people of the power of re-electing a man who has proved he can serve them ?

Chancellor Livingston said, the power of recall would enable the state legislatures to annihilate the government.

Mr. Smith said, the state legislatures, by neglecting to re-appoint at the end of six years, had the power of destroying the government.

Mr. Lansing said, it had been already proved that the power of recall was not likely to be used, as it *had not* been used under the old government. He would agree that the state recalling should be obliged to re-appoint.

Mr. Hamilton advocated stability and vigour in the government. Every republick should have a permanent body to check the fluctuations of a popular assembly. This body should be small—hold office for a considerable time—be the centre of political knowledge. The amendment would deprive the senate of its permanency. The state governments have a natural superiority over the general government. We are to guard against local prejudices. The object of the convention in forming the senate was to prevent fluctuations and cabals. The senators will look up to the state legislatures. Instability has been the prominent and defective feature in most republican systems. Now is the time to apply the remedy.

Mr. Lansing had not had his opinions changed by the arguments urged by the Federalists, i. e. Hamilton, Chancellor Livingston, etc. He admitted the necessity of two houses in the legislature. He would not have the Federal government independent. The states having no constitutional control, would be gradually extinguished. The people would become subjects instead of citizens. The states had no power to contend with the general government. The people must rebel or wait till the long term of the senators expired, and then elect others.

Mr. Smith observed, that the checks in the amendment either were or were not sufficient to give stability to the government, and he considered that the only question.

Wednesday, June 25th. Mr. Smith resumed. He still adhered to the notion of rendering the same men ineligible for six years, after serving six years as senators. He did not wish the senate to be *perpetual*, although stable. He urged other arguments in favour of rotation. He then argued for the power to recall. He feared the people would be tired of paying officers for the state governments, and that the state legislatures would have nothing to do. In time the general government would swallow up all. He insisted upon the fear, or danger of corruption, by means of the *offices* in the disposal of the general government. He insisted the representatives in the state governments were more under the eyes, and in fear of the people than representatives in congress would be.

Mr. Hamilton observed on the plausibility of his opponents. He answers the objection, that the legislatures and not the people appoint the senate, by showing that the legislatures represent the people. The senate should be so formed as to check the state governments. The check upon the senator is, that his future existence depends upon his state. "We have in this state a duty of 6d per pound on salt, and it operates lightly and to advantage," but to some states it would be very burthensome. The eastern states would oppose a salt tax, laid by congress. Their senators might see the reason for this—would it be wise to give the state power of recall? Six years is a period short enough for stability in the senate. One third

of them go out at the end of two years, two thirds in four, and the whole in six. There will be a constant and frequent change. There is a difference between the rights of a state and its interests. The rights are defined by the constitution, which has nothing to do with the interests. "Congress can no more abolish the state governments than they can dissolve the Union." Factions in congress have arisen from state prejudices. The principle of rotation would cause the senator to attend more to his own interest—he will endeavour to perpetuate his power by unconstitutional means. The amendment would discard two men, however valuable, and replace them by men untried. As to corruption, the president has offices at his disposal. But how many offices are there for which a man would relinquish his senatorial dignity? Very few.

Mr. Smith believed that factions might be in existence in the senate and unknown to the legislatures of the states. Violent factions have existed in congress respecting foreign matters "of which the publick are ignorant." Some things have happened which are not proper to be divulged. There are other causes of parties, besides the clashing of state interests.

Chancellor Livingston observed, the committee should remember that the circumstances of the country were altered, by the knowledge that New Hampshire had adopted the constitution. The *confederation was now dissolved*. The question now before the convention is one of policy and expediency. He looked with horror on the idea of disunion. Since *yesterday*, he felt that the news had made a solemn impression on him.

Although it is acknowledged that the people at large did not or could not judge what was best for them as a nation, yet state legislatures might have this knowledge; yet he thought them incompetent judges of what was best for the Union. He thought the new constitution had provided every check necessary for the senate.

Mr. Smith observed upon an assertion of some one, that a majority of the states would not agree to the *amendment*. He said the constitution had been carried in most of the states, so that no opportunity for amendment was afforded. As to the change of circumstances, he said it made none in his views.

Mr. Lansing said, it is true the ninth state had ratified the constitution, still it is our duty to maintain our rights. Let the nine states make the experiment. He wished for union, but thought that New York could provide alone for her own safety. He wished a resolution to this purpose, that nothing in the constitution authorized congress to alter any regulations of any state respecting the times, places, or manner of holding elections for senators or representatives, unless the state failed to make or could not make the necessary regulations.

Mr. Jay observed that, if by design or accident, the states should

not appoint representatives, there should be a remedy. He believed this was the design of the Federal convention.

R. Morris suggested that the power of continuing the government ought to belong to the Federal representatives of the people.

Governour Clinton reprobated the representations made of the weakness of New York; he likewise denied the distinctions made between the house of representatives and senate. All were elected by the people. Their will was law.

Mr. Jay thought the Governour had mistaken the gentleman. The only question was, how this will is to be expressed.

Mr. Melancthon Smith proposed further amendments, but withdrew them.

June 26th; Thursday. Mr. M. Smith again proposed dividing the state into districts for elections.

Mr. Duane thought no one state should dictate the mode of elections to others. This power, by the constitution, resides in each state.

Mr. Smith only wished this liberty secured to each state.

Mr. Duane thought the mode proposed would embarrass elections, as it made a majority of all the votes necessary, to return a member.

Mr. Lansing proposed to modify Mr. Smith's amendment so that congress could not prevent the states passing laws to divide the state into districts; which being agreed to, the committee passed the succeeding paragraphs, without debate, until they came to the second clause of Section 6th. Mr. Lansing then proposed this amendment: "No senator or representative shall, during the time for which he is elected, be appointed to any office under the United States; and no officer of the United States shall be elected a representative." On this, there was no debate.

Mr. Williams objected to the powers given congress in respect to taxes, and moved that no excise shall be imposed on any article the growth, or manufacture of the United States—no direct taxes be laid, but when moneys arising from imposts and excise are found insufficient—and under certain restrictions.

June, 27th—Mr. Melancthon Smith. Taxes are of the utmost importance. The constitution gives powers to congress to raise money in all ways, except by duties on *exports*. The individual states in time, will have no right to raise any money. Under the present new system, he thought, the state taxes and United States, would clash. The power of the confederacy would swallow up the States. They will be undermined and sink gradually. The former confederacy had upon the whole worked well. Some certain specifick revenue must be reserved to the states.

Mr. Williams followed on the same side. This clause would destroy the state governments. A poll tax is unjust and oppressive.

Chancellor Livingston agreed that no government could exist without revenues ; that consideration of the states must be avoided, and that “ the extent of our country will not admit of a representation upon principles, in any great degree democrattick.” The amendment of Mr. Williams, excludes excise on products and manufactures of the United States, and says, a requisition shall precede an imposition of a direct tax. In time, we may become manufacturers, and the necessity of imposing excise on home products arise. As to requisitions, we have seen enough of them to be suspicious. The United States may be obliged to lay direct taxes, and if requisitions precede, we shall be laughed at—we lose the time when the money is wanted, and waste it in petitioning for requisitions, and in petitions which are never granted. The state that is invaded has always been the first to pay the requisition : the state unharmed paid little or nothing. Indirect taxes will be generally sufficient : but congress must have power in case they are not. If the requisition is refused, the amendment proposes compulsion. This supposes a complete set of officers, etc., kept in readiness. If resistance is made, who will lend to congress the money wanted in the first place, and that necessary to compel obedience ? The avails of direct taxes, are the funds to be pledged for borrowing. This state has been and will be (in time of foreign war,) the theatre of war. It is for our interest to give congress power to relieve us by imposing direct taxes. The United States government, and that of the states, will not clash in laying taxes. It is upon the interest of the United States, or of congress, we must depend. The state has unlimited power of direct taxation upon itself : and when it has laid a great tax on any one article, it would be unwise in congress to tax the same : it would not be the interest of congress to do so. We have resources enough to support our state and our general government—if we have not, let us have only one—a state—or a consolidated government. As to the assertion, (made by Mr. Smith) that every government will raise more money than it can use—I do not understand it—let the convention keep in mind, that the accounts of the general government are to be submitted, from time to time, to publick inspection.

Mr. Smith remarked, that from time to time, meant anything or nothing—from century to century.

Chancellor Livingston said, the representatives would consider economy essential to their popularity.

Mr. Hamilton remarked, that when we had given a proper balance to the branches of the government, and fixed representation upon pure principles, we may safely furnish it with the necessary powers.

We want (he proceeds,) a free government with mutual checks.

One branch of the legislature by the constitution is to be elected by the people—the *same people*—who choose the state legislatures. They are for two years, and then return to their constituents. Here the people govern. You have another branch, a *senate*, chosen by your state legislatures. You have an executive created by an admirable mode of election. Here are checks : but you must trust your government with necessary powers ; you must have confidence in it. Government must have the power of the sword and the purse : but you do not place both in one house : the purse is with one branch, and the sword with another. Is it not the same in the New York state government ?—The state government has not to provide against invasion, nor maintain fleets and armies—nor to regulate commerce, make alliances, or form treaties of peace. Their object is civil and domestick, peace and justice. But the general government has all the former cares and expenses. In Great Britain, the expenses of peace to those of war, are one to fourteen. The proportion between the state and general government, will be infinitely greater. Where then, ought the resources to be lodged ? Your government must have power to call the ability of the country into action. There can be no exclusive revenues. *The imposts may so increase as to render direct taxation unnecessary.* The laws of the states must not touch the appropriated resources of the United States : but the United States may relinquish to the states. It may be necessary to borrow—and to borrow you must have pledges to give. You must give credit to your government. It would be melancholy, if true, that a free government cannot exist in an extensive country. This idea comes from an author unacquainted with representation. The confederacy of states makes the notion still more false. The state governments are absolutely necessary to the Federal system. He uses many arguments to show, that we may more safely trust the general government than even the state government.

Mr. Hamilton continued : As commerce increased, and knowledge was let in upon the people, they perceived their own consequence—they united with kings to throw off the yoke of the barons or aristocracy. Wherever the popular weight causes the vessel to lean, there will power flow. The constitution is so formed that the states can provide for their own existence. The laws of the United States are supreme for constitutional objects, and so are the state laws, in the same way. They are not hostile. The United States, and the state government, may tax the same object : but they collect the tax by different officers.

June 28th—Mr. Hamilton introduced papers, to show how much the state of New York suffered by the system of requisitions during the late war.

Governour Clinton supposed this was in consequence of a con-

versation with him, and thought the papers related to matters previous to the accession of all the states to the union.

Mr. Duane acknowledged the conversation, but thought it a duty to bring forward these papers. He was convinced that our greatest misfortune was the want of such a government as is now offered.

Governour Clinton did not wish to withhold these papers. After some further discussion, the papers were read. And Gov. Clinton said, that the severe distresses of the people at the time, made them think the confederation too weak. He declared that he was a friend to a strong and efficient government; but he feared an extreme. If the proposed constitution is shown to be safe, he would drop all opposition. He always wished to grant an impost to congress.

Mr. Duane asked the governour, if he had not received at times from the commander-in-chief notices, that if New York did not furnish supplies, the army must be disbanded.

The governour said it was true. He said, he had been sent for to councils of war, where the state of the army was laid before him, and it was melancholy indeed. In one instance, this state by impressing flour from the people, saved the army from dissolution.

Mr. Hamilton said, the view in introducing the papers, was to show the evils this state suffered, because requisitions were insufficient to call forth the exertions of the country, or its resources.

This distress occasioned the mad project of creating a dictator: and Governour Clinton's opposition to that project is known, and applauded. He objects to Governour Clinton, that he opposes the new constitution, but does not offer a substitute, by which to gain strength, without danger to our liberties. When congress *requested an impost* for twenty five years, this state opposed it. New York and Rhode Island prevented it. In respect to the proposed taxation, there is not a word in the constitution, which gives an exclusive power to the United States, except in imposts. Other taxes are concurrent, and both the general government and the state, tax the same thing, and the individual cannot pay both: the first come, first served. Neither power is supreme. The impost given to the United States, gives them power to discharge the debt, and absolves the individual states from responsibility.

If we are to unite, it is for great purposes, and these require great resources and powers. The United States will have extensive and uniform objects of taxation. The states a great variety, to which only state laws can apply. The legislature of New York can even authorize a poll tax. There may exist circumstances to make even such a tax necessary; and when necessary, the people must submit to it. He accused the opposition of jealousy and

conjecture. No one difficulty in the constitution can be pointed out, that will not apply to the state governments. The most ambitious men will be careful to draw forth the resources of the people as gently as possible. The supposed want of money in New York is complained of, but it is a want of confidence in the old government of the Union. Mr. Hamilton contended against the amendment which required that no direct tax should be laid until impost and excise had proved insufficient. He said, New York, from its situation and extent of unsettled lands, must ever be a commercial and agricultural state. If the general government is restrained from free application to other resources it *will push imposts to an extreme*. Excessive impositions on commerce will be injurious to the state of New York. Excise will operate the same way. Our neighbours not possessing our advantages for commerce and agriculture, will be manufacturers, and protected by the amendment, and we burthened. It is the interest of New York that those articles should be taxed in which our neighbours excel us; excises on manufactures are for our advantage. The nature of our union requires that we should give up our *state* impost. With apologies for his warmth, and objections to gentlemen supposing that the advocates of the new government were influenced by ambition, Mr. Hamilton concluded.

Mr. Lansing, in reply, said it was conceded that the constitution gave powers to congress to lay all kinds of taxes. Litigations will succeed, which must be carried to the courts of the United States. They will give extensive jurisdiction to the courts of the federation. The amendment would prevent excises on manufactures of the United States, and prevent direct taxes until requisitions have been made. The Federal government being but part of a system, ought not to have the whole power of exacting support. The general government should have general powers. As to requisitions, those now proposed are different from those acknowledged formerly to have been incompetent; the amendment requires carrying the laws of congress to the doors of individuals, and not calling on whole communities. The states have complied with the requisitions, by making laws for their effect; but it has been individuals who have not obeyed. Congress will have by the amendment the right to enforce the requisitions.

Mr. Lansing objected to the supremacy of the laws of the United States. He objected to the assertion that danger to the state governments could only exist in a distempered fancy. These impressions thus fanciful to him, have made serious impressions on good and great men. History shows the encroachments on the rights of the people. It is admitted that the state governments are necessary. Mr. Hamilton has said, the idea of hostility between the general and state governments is chimerical; but Mr.

Lansing was persuaded such hostility would exist. Lansing charged Hamilton with holding different opinions in the convention at Philadelphia. Hamilton denied this, and an altercation took place, which is here omitted.

On the 30th of June, the same dispute occupied a great part of the day. When the debate again took place, Mr. Williams, Mr. Smith, and Mr. Jones spoke. Smith said that the national head ought not to have all the means; nor should the power charged with the national defence have all the revenues. In England, the king had the power of war, but parliament of supply. He would have the constitution plain, and not liable to different constructions. He thought the national government would have too great control over the states, and could set aside the powers in the state, necessary for its well being. He continued to remark on the necessary hostility.

Mr. Duane addressed the convention. He thought the system of requisitions ought to be forever discarded. He hoped yet to see a navy of the United States. He spoke of the necessity of both army and navy, to repress the existing aggressions of Great Britain.

Mr. Jay began, by describing the general characteristics for a government of the United States. Would it be proper that the state governments should limit the national resources? Would it be right that the sovereign power of the nation should depend on the will of the several members? That the interest of a part should govern the whole? As to collecting a direct tax, after requisition; would not the motives that induced non-compliance likewise induce resistance to collection? A number of states, similarly situated, might unite, and control the general government. He remarked upon taxation, and thought it would be difficult to distinguish some articles of American from foreign manufacture.

Mr. M. Smith remarked upon Mr. Duane's wish for a navy. He thought it would be wild and ridiculous for years to come. He talked of centuries, and did not wish to provide for times so distant. He commented on Washington's circular, complaining of requisitions. He stigmatized Mr. Jay's notion of non-complying states joining to resist congress, as imaginary. They might combine to resist a tax, although no requisition had been made.

Chancellor Livingston said, the opposition talk at random, and run into inconsistencies. They differ from each other, and from themselves. They tell us congress will tax to the utmost, and oppress the people, and they tell us congress has not power so to do. They say the state governments will be left powerless. Is the power over property nothing?—over life and death, nothing?—Can they not raise money?—and regulate the militia? The strain of irony and ridicule was continued, and then he said:—The

states and the United States have distinct objects. They are both supreme : the one as to national objects, the other as to domestick and internal objects. He then returned to ridicule :—And we are told that we are not to make a government for futurity ! We are to make a government of a day !

July 2d—Mr. G. Livingston said, if the clause under consideration was not amended we should not have a shadow of liberty left. The new government cannot be depended on. There would be a contest between the general and state governments for the taxes, and collision in the collecting. He endeavoured to ridicule the arguments of the Federalists, but very feebly, and showed himself wounded by the Chancellor's ridicule, by what approached to personal abuse.

Mr. Williams thought Chancellor Livingston's speech unworthy of notice in point of argument, but would not submit to have his own arguments misstated. He would not enter seriously into the subject, until he heard serious answers to his arguments. He appeared very much vexed by the Chancellor's ridicule, and power of exciting laughter.

Mr. Smith refers to the same. Perhaps the convention wants something to divert them. He compared the Chancellor's speech to a farce after a tragedy. He thought he aimed to amuse the auditors without the bar : and that he had acquitted himself most admirably.

Mr. Smith ridiculed Chancellor Livingston, and said he contradicts himself, and that his creed was, "I believe, that the general government is supreme, and that the state governments are supreme, and yet they are not two supremes, but one supreme." He thought it no proof of strength of argument, when ridicule was resorted to.

The Chancellor, well pleased that his ridicule had succeeded in irritating his antagonists, pretended to apologize for it. He now charged Smith with falsifying him. He had maintained that a single league of states, could not long exist, but not that a Federal government could not exist ; but ironically says, what wounds him deepest is, that his worthy kinsman, Mr. G. Livingston, should join his dagger with the rest, and force him to exclaim "thou too Brutus." If this gentleman's wrong conclusions from false premises are ridiculous, it is not my fault. When arguments appear to him absurd and ridiculous, he must expose them.

Mr. Lansing proposed, respecting borrowing money, the amendment, that no money be borrowed on the credit of the United States, without the assent of two thirds of the members of both houses present.

Mr Jones moved this amendment respecting post offices, etc.,

“that the power of congress to establish post offices and post roads, is not to be construed to extend to the laying out, making, altering, or repairing highways in any state, without the consent of the legislature of such state.”

In respect to armies, Mr. Lansing proposed, “that no standing army, or regular troops, shall be raised, or kept up, in time of peace, without the consent of two thirds of the members of both houses present.” Mr. Smith moved that the militia should not be marched out of their own state, without the consent of the executive of the state, nor continued in service more than six weeks, with other restrictions. Mr. Lansing moved, to restrict the powers of congress to those expressly given, and others to be reserved to the states. Mr. Smith moved against a power to grant monopolies. Mr. Tredwell would have two thirds of the members present, necessary to declaring war. Mr. Lansing, would not have the privilege of *habeas corpus* to be suspended more than six months, or until the next meeting of congress. Mr. Tredwell moved respecting *ex-post facto* laws, and that no capitation tax should ever be laid; and the words from “time to time” be defined. On the third article, Mr. Jones and Mr. M. Smith spoke, but no debate ensued: and Mr. Jones submitted several resolves respecting the jurisdiction of courts, particularly the United States court.

On the 7th of July, the secretary read the fourth and fifth articles without interruption; but in the sixth, Mr. Lansing proposed that no treaty should operate, to alter the constitution of any state. Mr. Smith moved, that all officers of the United States, should be bound by oath or affirmation, not to infringe the rights of the individual states.

After the constitution had been gone through, Mr. Smith moved, that the inhabitants of the ten miles square, to be granted to congress, shall be secured in the privileges of others; with certain restrictions.

Mr. Lansing then read and presented a bill of rights to be prefixed to the constitution. No business was done until July the 10th, when Mr. Lansing divided the amendatory resolves into explanatory, conditional, and recommendatory. On the 11th, Mr. Jay moved, as the opinion of this committee, that the constitution under consideration, ought to be ratified by this convention: and further that the explanations ought to be called for, and amendments deemed useful, recommended.

This motion was supported by Chancellor Livingston, and Chief Justice Morris, and opposed by Mr. Smith until the 15th, when Mr. Smith moved as an amendment to Mr. Jay’s motion “*upon condition nevertheless,*” that until a convention shall be called and convened for the purpose of amendments such and such powers shall not be exercised.

On the 16th, Judge Hobart, moved an adjournment, which was negatived. Mr. Duane brought in a plan of ratification with amendments. Mr. Smith's proposition was debated until the 19th, when Mr. Lansing proposed a conditional ratification with amendments. On the 23d, the word *condition*, was struck out, and "*in full confidence*" substituted, on motion of Mr. Jones.

Mr. Lansing wished the adoption of a resolution, that the state of New York, should have a right to withdraw herself from the union, after a certain number of years, unless the amendments proposed should be previously submitted to a general convention. This was negatived.

The committee considered the amendments, until the 25th July, when they agreed to them, rose, and reported. The convention then agreed to the report, and a circular letter was agreed to be sent to the different legislatures recommending a general convention. On Saturday, July 26th, all being read, and the question put, there appeared for the affirmative, Messrs. Jay, Hobart, Hamilton, R. Livingston, Roosevelt, Duane, Harrison, Low, Scudder, Havens, J. Smith, Jones, Schenck, Lawrence, Carman, Lefferts, Vandervoort, Bancker, Ryers, L. Morris, P. Livingston, Hatfield, Van Cortlandt, Crane, Sarles, Woodhull, Platt, M. Smith, G. Livingston, and De Witt. 30.

For the negative, Messrs. R. Yates, Lansing, Outhout, J. Thompson, Tredwell, Cantine, Schoonmaker, Clark, J. Clinton, Wynkoop, Haring, Wisner, Wood, Swartwout, Akins, Harper, Frey, Winn, Veeder, Staring, Parker, Williams, Baker, Hopkins, Van Ness, Ray, and Adgate. 27.*

* It is remarkable that for the adoption we see the names of so many distinguished men, and for the contrary so very few.

It will be seen that several of the Anti-federalists voted in the affirmative when the main question was taken; in reference to which circumstance Mr. George F. Hopkins tells me, that when a boy, in the year 1788, he heard the conversations at the time the convention was sitting, and knows that Francis Childs was the shorthand reporter, and has told him that he was absent (or lost) the most remarkable speech made on that occasion; which was by Alexander Hamilton, and produced the vote in favour of the adoption. The convention had met for the final question, and the majority was known to be for rejecting the constitution. After a time of silence he arose and addressed them for three hours, bringing forward every argument and appealing to the feelings of the audience. Many even melted to tears, when he dwelt upon the miseries that must ensue, if the constitution was rejected, and disunion take place among the states. Instead of proceeding to take the yeas and nays, as was expected, Gilbert Livingston, one of the opposition, moved an adjournment, saying, "There is much weight in Mr. Hamilton's words." That night the oppositionists held a caucus, and it was determined that Gilbert Livingston, M. Smith, and another, should vote for the constitution; which they did, and made a majority of two. Mr. Hopkins remembers the admiration caused by the speech at the time. He says, that at the door of the post-office, a group of persons attracted his attention, and he listened. They were warm in expressions of admiration of Hamilton's speech. At this time, James Kent, (the venerable ex-chancellor,) who had been an auditor, came up, and exclaimed, "I could never have believed that the power of man was equal to the production of so much eloquence!"

Governour Clinton, the president, had no vote. The convention adjourned, without day ; and thus New York became an integral member of this great (I will not say confederacy, but) nation.

Although the Federal constitution had been adopted, and Washington called to administer the government, still it was to be seen how the great experiment would work. It was yet unknown that confidence in the United States would be established at home and abroad ; that the inhuman policy of Great Britain, in stirring up the savages to desolate our frontiers and steep in blood that land she had been forced to abandon to us, would be firmly met ; and the forts held and strengthened by her, in contravention of the articles of peace, for the purpose of stimulating the Indians and supplying them with the means of murder, would be wrested from her. But the new system of government proved that a representative commonwealth was better than any other mode for the happiness of mankind, and that the arts of a baffled monarchy only served to bring ruin on the savage nations deluded by them ; until after a war of twelve years, carried on by the red man, in whose hands England, though pretending friendship for us, put the scalping-knife and the tomahawk, the men of the wilderness found that they were only the tools of a faithless kingdom, which sacrificed them and their country to her hatred of the people who had rejected her laws and defeated her armies. In 1795, Wayne gave peace, by victory, to the frontiers, and soon the *free* state of Ohio exhibited a prosperity unexampled in the history of the world.

APPENDIX.

APPENDIX.

APPENDIX A.—*Vol. 1., p. 28.*

For the remains of Indian towns, and forts, and of forts supposed to be anterior to the race of Red-men found by the Europeans, I refer the reader to Moulton, first part of history of the state of New York, published by John Van Ness Yates, and Joseph W. Moulton, and the memoir by the Honourable Dewitt Clinton.

On the east bank of Seneca river, are found remnants of Indian defences. These fortifications have been traced eighteen miles east of Manlius-square; and in Oxford, Chenango county, on the east bank of Chenango, are remains of forts. One is found in the town of Onondaga, two near Auburn, and three in the vicinity of Canandaigua. In many other places, there are found cemeteries with Indian remains, and vestiges of fortifications. In the year 1815, I had an opportunity of visiting those of Pompey, Onondaga, Canandaigua, and several others. Without military skill, and perhaps, devoid of the feelings which appear to have possessed the Reverend Mr. Kirkland, and many others, I could form no precise notion of these works of defence. Some appeared to me remnants of Indian palisadoed villages, and some as if thrown up by the French in their excursions into what is now our state.

Our ingenious, industrious, and learned fellow citizen, Mr. Moulton, has given us all the various theories and traditions on the subject of the origin of the Indians known to Europeans, and of those who preceded them. The Lenape, or Delawares, told Mr. Heckewelder, that they came from the west, in very remote times, and met the Iroquois journeying likewise from the west, at the great river *Naimae Sipie*, or river of fish, (another derivative name for Mississippi,) where the *Allegewi* lived in great fortifications, or cities, with whom they contended in many battles, and finally conquered. They, the Lenape, then increased and spread to the Atlantick coasts, and the Hudson river, and the New England

states. The Iroquois took the country of the lakes and the St. Lawrence, and subsequently quarreled and warred with the Delawares, who, as they told the story, were of course very much abused.

For the various Indian traditions, I refer to the learned author, above named, and for the conjectures of European writers on the first peopling of our continent from every nation of every part of the known world. Onondaga we know was the great council-house of the Iroquois confederacy. But we do not know that it was the spot "where men of the Malay race from the southwest, and of the Tartar blood from the northwest, and of the Gothick stock from the northeast, have successively contended for supremacy and rule, and which may be considered as having been possessed by each, before the French, Dutch, or English, had ever visited or known the country!" Yet, thus philosophers and historians amuse themselves by writing and publishing, what is called history.

All that has been said, or can be said, is brought together very pleasantly in a small compass by Mr. Moulton, and he ends—no fault of his—for every speculator on the subject, as to who where, or from whence came the aborigines of America, must end with—"Who can say."

APPENDIX B.—*Vol. 1., p. 29.*

THE following is from an intelligent friend, educated in New England, travelled in Europe, and for a number of years, settled in the western part of New York, surrounded at the time, by the Iroquois. His decease is a loss both to his family and the community. I may, without indelicacy, name the late Samuel M. Hopkins, at one time, an eminent counsellor at law in this city.

"*Dear Sir.*—The native Indians of this part of North America, appear to me, to be a people exceedingly remarkable—whether we look at the question of their origin; their character and manners, or their regular, and as it seems necessary tendency to final extinction. Before this last event shall arrive, I have often felt anxious, that some Tacitus should snatch from the winds the Sybil-leaf which contains the delineation of their exceedingly peculiar character, and hand it down for the wonder of ages, that shall pass after the enquirer is gone. But in truth, it is equally wanted by the present age, and even by men of information, who live almost among them—for I think that the greater part of our own country-

men, have little other idea of Indians than Europeans, who seem to conceive of them, merely as *wild, ferocious*—and unsocial, like beasts of prey.

In person, it appears to me, that our Indians are above the size of European nations—thin limbs, both neat and muscular. In countenance, course, rough, and huge, so that few of the women even in youth, possess beauty, and in age, are very ugly.

Their capacities of mind, place them in my judgment, among the most bright and intelligent of all the varieties of the race of man—Yet, here lies their peculiarity which strikes my mind so forceably, and which I shall be too feeble and imperfect in attempting to describe.

First of all comes their *untameable* character, as I call it—and yet, it would cost me sheets to explain to a foreigner, in what sense, and how *untameable*—for they always live in towns—no people on earth are so peaceable among themselves—all our experience on the northern frontier, shews them to be good and kind neighbours when treated justly—and they shew the utmost aptitude for acquiring arts, letters and sciences, whenever they choose to apply to it—I never heard of family broils—parties of any kind, nor domestick quarrels, except when excited by ardent spirits—or by the interference of white people.

Then how or why *untameable*? They seem invincibly attached to the *hunter state*, and to a community of goods, (lands) or more truly, to have no property at all except the utensils and stock of each family, and the gun, etc., of each hunter; this, however, as to property has some exceptions.

But to the position that they *never* sit down in the regular pursuit of property, or comfort in agricultural or civick life—that they *never* adopt the manners and pursuits of white people *permanently*—never live intermixed among us in any manner; to this as far as I learn, there has never been in the 200 years of our national history *one single exception*.

It is 200 years since our ancestors began to study their language and reduce it to writing and grammar; to teach them ours; build colleges to educate their children; caress, bribe, flatter, and make them scholars, and in some instances I believe sincere christians. The boys learned Latin, Greek and Mathematicks, and often were the best scholars in forms and classes, by which they were caressed and beloved. Their taste was fine, and their manners polished; but some went immediately back to their tribe and hunted—some preached Christianity many years, and then became drunkards. Some (say Skenando of Oneida) lived and died Christians, but with Indian manners. I have never heard of one who lived and died, reared and left, a family and property in the manner of white

people. They fly the face of civilized society and domestick habits, and yet to a great extent have a civilization of their own.

I could answer all arguments about their depressed condition and much such stuff. *They are not depressed.* Their chiefs go to Albany and Washington and dine with governours and presidents.

How wonderfully different the *African*—dull, sensual, *tame*, beyond all the tribes of men; so that you can hardly drive him out of the town, nor even make him *hunt*, or go into the woods at all, unless you drag him there as a slave.

The Indian tamed is like a fox tamed, and not more like us than that fox is like a dog.

Perhaps their *oratory* is the only trait of their character well understood by the publick. I fully accede to all that is said of it, though I never heard their speakers on any *great* occasion. I knew Red Jacket *well*; I place him in point of native talents (and powers as I believe to persuade, delight or astonish) on a level with the greatest speakers of the age, in England, Ireland or America. A friend of mine, a man of genius, who had well studied the Ancients and Moderns, and who heard one of Red Jacket's greatest efforts, declared to me that the dignity, grace, and power of the man, gave an idea which he could never otherwise have had, of what Demosthenes must have been.

But the publick do not know that these speeches are studied and prepared with the utmost care—that they are delivered in a highly cultivated dialect, or kind of court (council) language, which the common people can scarcely, if at all, understand; and that the ear of a council of chiefs is as nicely tuned to all the harmonies of language, as that of the Athenian populace was. To aid this harmony, their flexible language submits (*euphoniae gratiâ*) to every imaginable contortion, so that even one word shall be divided in two, and receive another entire word between its parts to aid the harmony or force of a sentence.

If I am right in the assertion, with what amazement will you learn that they have *no poetry*: I mean, no *metrical poetry*. At least, I never could hear of any thing of the kind. Equally astonishing—*no musick*—for though I have heard them when half drunk muttering some lugubrious sounds with the voice, and have seen and heard a flute with three or four notes, on no scale or proportion, and making no melody whatever; yet I conceive these are merely imitations of what they have seen among us, and not their own ancient traditional attainments.

From my infancy I heard of *Indian wit*. I have not heard much in this country, except a few fine repartees, in the serious style, by some of the great men. But in my boyhood, every tale of other times in New England was fraught with instances of retorts said to be made by squaws and Indians of the common sort—of which I

can only say, that *if our fathers made them for the Indians*, then they made better speakers for *them* than for themselves. I could now repeat some, (too long to explain intelligibly) the exquisite felicity and keenness of which, equal any thing which we have recorded of the Greeks—yet the style is widely different—the flavour as different as Burgundy and Champagne.

Their manners are Asiatic—(I speak of the men of rank)—sedate, calm, deliberate, grave—a strict attention to these things, which not even the approach of danger (except in battle, when they become animated with rage and fierceness) can ever disturb.

They look with supreme contempt on our quick walk and gestures, rapid talking, laughing, and trifling airs. Nothing can be more decorous than their councils. Take another example, well known: they express surprize at nothing—not even at things which to them must be most astonishing. Those who never saw a city, will walk through New York or London, and neither gaze nor even look at any thing. The common Indians would gaze and wonder at many articles of my furniture, when I came here, but the chiefs would appear to see nothing, nor would have so much the air of gazing as the most polished Englishman or Frenchman.

This is the effect of much *inculcation*, and would lead me to speak of the subject of their Education—a topick which would surprize your readers, if you could collect a full statement. I mean too, the *moral* not the *physical* part of their education—for equally will you be astonished to know that it is to *that* more than to the physical, that I *think* they attend. I *know* a good deal of this, from conversation with some of their chiefs, through interpreters. They have detailed to me the advice they gave to their children—in which there was a great deal of good sense and real wisdom. I once saw the young men of two towns about to enter upon a very masculine and somewhat dangerous game of *ball*, where some rougher sport might be expected, and therefore danger of sudden quarrels, (a more elegant game—fit rival for any drawings I have seen of the Grecian—and which, perhaps, I may try to describe to you hereafter) when the old chief addressed them, I think, more than an hour, to inspire them with good temper, fortitude, forbearance, etc. The effect was most admirable; for when they entered in the game a young man was soon disabled by a blow from his antagonist's racket; but the smile with which he answered that the hurt was trifling, and the perfect fairness with which his antagonist stopped the pursuit, (so the rules were) inspired me with the highest idea of the power with which they are taught to controul themselves.

They have distinct, well defined notions of good manners—more truly just than ours. These are inculcated with great care; and they justly remark it, when our freedom of manners allow of real

impoliteness—for example, several talking at once, or one interrupting another—which they hold to be unpardonable.

Speaking of the want of *musick*, I ought to have mentioned what fine voices, and consequently ears, they have, wherever they have been formed into religious societies, and taught musick: their voices, especially of the women, have been admired as not merely fine, but remarkably so.

APPENDIX C.—*Vol. I., p. 30.*

THE Hudson River has its source in 44° 5' N. Lat., and runs winding an east course one hundred miles to Sandy Hill, receiving on the way, Schroon and Sacandaga Rivers. Its course is from Sandy Hill to New York Harbour, south; and may be thus divided: from Sandy Hill to Albany, 50 miles—thence to New York, 143. If we measure the junction of the great river with the ocean at the Narrows, it makes eight miles more, and a total, from its source, of 301 miles.

Hudson commenced his voyage up the North River on the 13th of September, 1609, and went that day as far as Yonkers. The next day, passing through Tappan and Haverstraw (oat straw) Bays, he arrived between Stony and Verplanck's Points, "a strait between two points which trended N.E. by N. one league:" he saw "very high lands," and proceeding, anchored off West Point. The mariner has expressed some of his feelings, as he went forward, and we may imagine more. Passing the Highlands, he anchored for the third night, in the bay beyond. Fifty miles on the fourth day, brought him to Catskill Landing. He had seen the mountains, on his way. September 16th, brought him between Albany and Hudson City. The sixth day carried him six leagues higher, frequently grounding, and anchoring for the night among shallows. Therefore Moulton, whom I follow, supposed the Half-moon to have gone up as high as Castleton—that island where subsequently the Dutch built their first fort or trading house, in the neighbourhood of Albany.

During the 17th and 18th of September, Hudson had continued friendly intercourse with the natives, and on the 19th, Mr. Moulton supposes the Half-moon proceeded as high as Albany. For four days he continued his friendly intercourse with the Indians and an examination of the river. Here the skipper made the natives drunk, by giving them ardent spirits. Whether this, or the drunken scene on Manhattan Island, described by Heckewelder, was the com-

mencement of native degradation, I know not. Here it was that Hudson saw some warriors of the Iroquois. Thus about the same time, Hudson introduced rum, and Champlain, gunpowder, for the destruction of the Five Nations. Descending the Hudson, and stopping occasionally, the friendly natives on all occasions gave them welcome; but the mate of the Half-moon seeing one of these poor creatures carrying off a trifle, the value or use of which was unknown to him, showed his superiour intelligence, civilization, and *power*, by shooting him. Panick-struck, the companions of the sufferer fled—the ship's boat was manned in pursuit—an Indian who was swimming, put his hand on the boat's gunwale, and it was struck off at a blow, by one of the Christians, and the bleeding wretch drowned. Thus it was that wherever Europeans came among the native Americans, they marked the spot with blood. On the 2d of October, the Half-moon returned to Manhattan.

Two of the unoffending natives had been against their will, seized somewhere in New York Harbour, and carried up the river by Hudson. They had escaped, and preceded the ship in her descent, no doubt communicating the story of their wrongs. The more recent injury and murders, doubtless had been told to the river Indians, near Manhattan Island: and now, armed for revenge, the natives appeared in their canoes, and approached the ship. They discharged their arrows, and in return, by musketry and cannon, nine were killed, and the rest fled in dismay. Three or four days after this, Hudson put to sea.

APPENDIX D.—*Vol. I., p. 34.*

1606 JAMES I., by letters patent, granted to Sir Thomas Gates, Sir George Somers, Richard Hakluyt and others, all the territory in America lying on the sea coast, between the 34th and 45th degrees of north latitude: i. e. from Wilmington North Carolina to Canada: together with the Islands within 100 miles from the shore. The design was to colonize Virginia; i. e. all the territory then so called, and, as usual to propagate Christianity, an excuse made for all the schemes of cupidity, conquest and murder which were adopted by the kings and people of that good old time. The patentees were divided into two companies, a south and north. The first was generally for the division since called Virginia, and the second for New England. The supreme government was vested in a council residing in England and appointed by the king. A second council, likewise appointed by and

directed by royal wisdom, was to reside in the colony. The colonists were to have all the rights and privileges of Englishmen, but (a glaring contradiction) no voice in governing themselves, the king and his council and his deputies framing all laws. The views of the patentees were *gain* alone, and by the shortest road. The views of James, judging by the code of laws he promulgated for the colonists, were more liberal. He made no pretence of jurisdiction over the Indians, as the Spaniards had done ; and appeared to respect their personal liberties, while he gave away their country. It was in this year that Bartholomew Gosnold, Captain John Smith and George Percy embarked for Virginia : and in 1607, they and 150 others arrived in Chesapeake bay. Jamestown and James river received their names from these first Englishmen, who founded a permanent establishment in America. Smith was the hero of Virginia, and deserves every American's reverence. He and his associates are chargeable, however, with total neglect of the claims which the Indians had to their soil. It was taken from them unhesitatingly. The Dutch of New Nederlandt, and the Puritans of New England, had more enlightened views on this subject.

1609 A new charter was granted to a great company of adventurers, and the colony in Virginia was consigned to Lord Delaware as governour. Error, folly and tumult threatened the colony, which was again saved by Smith ; but an accidental personal injury obliged him to return to England, where he died, June 21st, 1631.

1614 In this year, Captain Argall, the unprincipled scoundrel who seized Pocahontas to exact ransom from her father, was despatched by Dale, the governour of Virginia, on a piratical voyage against Port Royal. The French had in 1605, built Port Royal in the Bay of Fundy, (in Acadie.) Against this settle-

1605 ment in time of peace Argall went, plundered the place and dispersed the inhabitants ; but as he left no garrison, the

1614 French soon returned to their habitations. Argall, on his return voyage, visited Manhattan Island ; and the Dutch,

(a few traders,) submitted to acknowledge themselves tributary to Virginia ; but resumed their rights as soon as he departed. It

was only in 1614 that the Dutch West India Company was licensed, and sent Block and Christiansee to New Netherland, where

a few huts were erected for trading with the Indians. It

1615 was not until 1615 that these Dutch traders built a small fort on the island. In 1614 there was neither fort, nor

1621 governour, nor established government. In 1621, the States General granted New Netherland to the West Indian Company ; and they sent a reinforcement to the settlers at

1623 New Amsterdam in 1623, by Captain May. In this year the Dutch in Manhattan built a fort on the bluff commanding the point of the island, and probably had a chief man, captain or director, although we know of no authorized
 1625 director-general, until Peter Minuit in 1625. Charles I., succeeding James, assumed arbitrary power over Virginia. Oppressed and discouraged by the tyranny of the king and his governour, Harvey, the colonists were attacked by the Indians, and another bloody struggle ensued. The threatened troubles
 1639 in England induced Charles to relax his tyranny in Virginia, and the people regained a part of their rights, which occa-
 1651 sioned the espousal of his cause by the colonists. The parliament reduced them. The celebrated Navigation Act
 1652 decreed, that no production of Asia, Africa or America, should be imported into the English dominions except in vessels belonging to Englishmen, (or English colonists) the captain and majority of crew being Englishmen. Cromwell governed Virginia with wisdom, and allowed the assembly to choose, as governour, Sir William Berkley. The Old Cavalier, at Cromwell's death declared for Charles II. He returned thanks to God, that there were no free schools nor printing; "for learning has brought heresy and disobedience and sects into the world, and printing has divulged them and libels against the best government: God keep us from both!" This was a fit king's governour of a colony.

APPENDIX E.—*Vol. I., p. 38.*

WITH a generous disposition, honest intentions, enthusiastick love of his profession, and much skill as a navigator, Henry Hudson was not without faults; and to these, as usual, his misfortunes may in part, if not altogether, be attributed. Some of these errours belonged to the time in which he lived. It was a grievous crime to seize men in New York Harbour, or any where else, and force them to accompany him and his ship, they knew not whither. Although he did not murder the man who had borne off some trifle from his ship in the North River, yet we do not find that he even reproved his mate, the second in command, for that act; and it was this same mate who was a principal in causing Hudson's dreadful death. When another Indian was murdered in the North River by one of the crew, we do not hear that he was even reproved for the barbarity. And we may reasonably suppose that the resentment of the natives who appeared hostile on the return of the Half-

moon to Manhattan Island, might have been allayed by other means than in their blood. It was a fault likewise in Hudson, that he took with him, on his last voyage, any person who had been mutinous, or otherwise guilty, during the preceding. He had in addition, as it seems, refused to take with him a person chosen by his employers, and instead, placed his confidence in a youth called Henry Green, who had by his dissolute life reduced himself to beggary, and had been abandoned by his relatives and friends. Yet a forgiving disposition might have caused the one indiscretion, and a benevolent hope of rescuing Green from his evil courses might have caused the second. But that he was deceived in both, is evident. The mate who had triumphed in murder, was unfit to be trusted; and the youth whose life had been passed in the debaucheries of London, was more likely to deceive by his hypocrisy, and be guided by selfishness, than to be reformed by the benevolence of his benefactor. Thus, Green was taken on the voyage as the captain's clerk, instead of Colburn—chosen by the merchants who fitted out the expedition. But his evil habits, contracted by a life of sensuality, prevailed, to Hudson's destruction, over every good natural feeling or sense of gratitude. He had become depravedly selfish; and the selfish man, whether a conqueror, like Napoleon Bonaparte, or a fugitive from starvation, like Green, will sacrifice the lives or happiness of others for his own gratification.

Before Hudson had passed the straits into the bay which bears his name, dissensions and mutinous conduct prevailed among his crew. Green had gained the favour of the captain, and domineered over others of the company. He had beaten the surgeon, quarrelled with some of the crew, and taken part with others, in their discontents. After Hudson, thinking that he was entering the Indian Ocean, refused to take in victuals at Digges's Island, sought a passage by the south coast of the bay in vain; on turning again to the north, his discontented crew, stimulated by the mate and boatswain, became so mutinous that the master displaced these officers and appointed others. This was cause of deadly enmity in the degraded officers. It is supposed that Hudson, on finding instead of the India passage, that he was embayed, became distracted, committed many errors, especially in resolving to winter in that desolate region. It was now the last of October. The summer had passed, while he was sailing to and fro, fruitlessly seeking an outlet where there was none. In November, he moored his ship in a cove, where she was frozen in, and remained until the next June. Here the carpenter with difficulty erected a shelter for the crew, and the remaining stock of provisions was shared among the men, rewards being offered for those who should by hunting, or fishing, add to the stock. For three months they subsisted on Ptarmigans and other

grouse. In the spring, they killed swans, wild geese, and ducks. Sickness afflicted many of the crew, and famine by degrees stared all in the face. They were reduced to feed on moss and the branches of shrubs. As the ice broke away, they obtained some relief, from fishing, and some from the natives of this dreary world who visited them.

Hudson seeing the distant woods on fire, fitted out his shallop, and went in search of relief from the natives, but in vain; he returned, worse than he went. He now prepared to leave the dreary cove where they had passed seven months of misery. Hudson delivered all the bread out, which was one pound per man. And Habakuk Pricket says, that when he did so, he wept. They steered north-east, to find a passage from their icy prison—they caught a few fish—they were obstructed by ice—the discontents increased, and finally broke out in an open mutiny, headed by the infamous Green. Juett, the discarded mate, and Wilson, the reduced boatswain, were now the friends of Green, and leaders in mutiny. The mate and boatswain thought themselves injured: but what cause had Green for hatred towards Hudson? We are told that the gunner having died, his clothing, as is customary, was put up at auction, that the sailors might buy what they wanted, and the money resulting from the sale be kept for the heirs of the deceased. Green coveted a particular garment, but Hudson sold it to one who bid more. This is the supposed cause of the young man's enmity. But the real cause was the wicked disposition engendered by his previous evil habits while a debauched reveller in London. It is in vain that you give to the selfish: they require *all*; if you refuse the last thing coveted, you make an enemy by the refusal. Alexander wept because there were no more worlds to conquer—Bonaparte sacrificed millions because a part of the world rejected his sway—from the same disposition, Green doomed his benefactor to death, because he was denied possession of a garment he chose to crave.

The mutineers having determined to sacrifice Hudson, his son, his friends, and the sick men of the crew, and thus reduce the number to be fed, Green, in the latter part of June, came to Pricket in the dead of night, and disclosed the plot, wishing to save him and gain his influence with Sir Dudley Digges, when they arrived in England. Pricket endeavoured in vain to dissuade the conspirators from the execution of their design. Green urged that what they had sworn to do was the only means of saving the lives of a part, by sacrificing a smaller part, and Pricket, the narrator, acknowledges that he took an oath in conjunction with the mutineers; but it was to be true to God, his prince, and his country, in the action then in hand.

On the 22d of June, 1610, (which we may consider as the day

of Hudson's death,) upon his coming out of the cabin at the call of Juett, the discarded mate, two conspirators, John Thomas and Bennet Matthews, seized him by the collar, and Wilson, the boatswain, stood ready to tie his hands behind him. He asked what they meant? They answered, "You will know when you are in the shallop!" They drove all the sick people upon deck, and then forced them and the captain into the small boat, which they had ready to receive them. John King, the carpenter, and John Hudson, the captain's son, who would not join the conspirators, but rather chose to share the fate of the honest and innocent, were added to the devoted crew of the boat; and thus were nine persons, assuredly the best of the ship's company, including the intelligent and honest Henry Hudson, committed in an open shallop to the merciless sea, without compass to guide, or food to sustain their strength.

The mutineers cut the fast which connected the shallop to the ship, and then set sail from the devoted victims as from their deadliest enemies. The sufferings of these wretches were deservedly great: Green, Wilson, and some others were killed by savages at an island where they had landed. In the course of their homeward voyage, the mutineers suffered the extremes of famine, and Juett, the mate, died of hunger. The least guilty of this crew arrived at Ireland on the 16th September 1611; from whence they were forwarded to the proprietors of the ship, in London.

APPENDIX F.—*Vol. 1., p. 40–46.*

1623 I ABSTRACT from General Jeremiah Johnson's translation, the conditions entered into and made, as I presume at this time, "between the lords, the Burgomasters, of the city of Amsterdam, and the West India Company, by the approbation of their high mightinesses, the States General of the United Netherlands," presented to all who wish to go as colonists to New Netherlands, who are directed to apply to the Honourable Lord *Coenrad Burgh*, counsellor and ancient *scheppen*; *Henrick Roeters*, upper commissary of the Exchange; *Edwart Man*, *Isaac Van Beeck*, *Hector Pieteirz*, and *Joan Tayspel*; commissioners and directors, appointed by the Burgomasters, upon the authority of the council of the city, (Amsterdam) who shall hold their sittings provisionally, at the West India house, on Tuesdays and Thursdays, in the afternoon at half past three o'clock.

1st.—The colonists, their families, household furniture and necessities to be found proper shipping, on the following conditions.

2d.—The city to make the best possible conditions with the ship owners and masters.

3rd.—The city to pay the transport money as an advance to the colonists, to be repaid as hereafter mentioned.

4th & 5th.—The city shall transport the colonists to a fruitful land, of temperate and healthful climate, on a salt water navigable river; “For which an agreement has been made with the West India Company, and where no other persons can set up any claims.”

6th.—The city “shall provide a suitable piece of land on the bank of a river, for a secure and proper dwelling place, provided with a trench and wall on the outer side, and the inner ground to be laid out in streets, a market and lots for the advantage of merchants, mechanicks, and agriculturists,” the whole to be done at the cost of the city of Amsterdam.

7th & 8th.—Said city shall send to said place a capable school-master, who “shall be fore-reader of the Holy Scriptures, and a leader in psalmody.” He to be paid by said city.

9th.—The colonists are to be provided with clothing and necessities for one year, and also with seed grains, by said city: and the city of Amsterdam, shall erect a large warehouse or magazine for the storage of clothing, and necessities for the colonists, and keep a factor, who shall supply every colonist with clothing, household necessities and instruments of husbandry, at the same price as they bear in Holland; the toll of the company not to be charged.

10th.—Concerning the toll (commission) of the company that is to be paid according to rates annexed: and the tolls paid in the New Netherlands, shall be there expended in the erection, and support of such publick works, as shall be authorized by the city of Amsterdam and the West India Company.

11th.—The said fortified place whether it be called a city or town, “shall be governed for political justice, in the manner of succession, according to the present practice of the city of Amsterdam.”

12th.—“They shall first have a (Scout) sheriff as chief of police (Justitia) installed as is done here.”

13th.—The scout shall be installed in the name of their High Mightinesses, and of the West India Company, for the deputies of Amsterdam, who for that purpose by procuration, shall give authority to the directors.

14th.—There shall also be three burgomasters chosen by the common burghers, from the honestest, richest, and most capable men.

15th.—There shall be five or seven *Scheppens*, (magistrates) for

which purpose the burghers shall name, a double number, from which a choice shall be made by the director, upon procuration, according to article 13th.

16th.—When the city or town shall have increased to the number of two hundred families, or more, then the burghers shall elect a council of twenty persons, who shall assemble in council with the burgomasters and Scheppens, and resolve upon all subjects relating to the state of the said city. And this council, after it has been thus formed, shall have power to fill vacancies, (arising in their number, by deaths or otherwise,) by ordering the election of other persons, by a fair majority of votes. Elections for the burgomasters, and for the council shall be held annually. “The said body shall also have the nomination of the double number of *Scheppens* from which the same shall be appointed as aforesaid.”

We have seen, by Art. 14, that three burgomasters shall be chosen by the burghers; and by Art. 15, that the burghers are also to nominate ten or fourteen persons, from whom the director is to choose five or seven as scheppens or magistrates. But (if I understand aright,) when the city has increased, then the burghers are to elect this third estate of representatives—a council of twenty—after which, this council of twenty (or that council in conjunction with the three burgomasters,) are to nominate the scheppens, instead of the mass of burghers, as at first.

17th.—The scheppens may give final judgment upon suits not exceeding one hundred guilders. For a sum above, the aggrieved party may appeal to the director and council.

18th.—The scheppens may try criminal causes, but an appeal may be made from their decision.

19th.—The city of Amsterdam shall send a smith, a wheelwright, and a carpenter, to the new settlement.

20th.—The city of Amsterdam shall cause the new land adjacent to the new settlement to be laid out in fields for tillage, and make roads to the same.

21st.—To every person who wishes to pursue the cultivation of the earth, (or farming) there shall be granted as much cultivable land as he and his family can till, from twenty to thirty *morgens* or more, upon condition that all such land, within two years after it is granted, shall be brought into cultivation, upon pain of forfeiture, and of the same being granted to another.

22d.—No *per centage* is to be required on any land so granted for ten years from the time the land is sowed or mowed; nor any *horn-money* nor *salt-money*. Neither shall the cultivators of sowed land be burthened at the expiration of the ten years, more, or at higher rates, than the inhabitants of neighbouring districts which are under the administration of the West India Company in the New Netherlands. They shall also be free from the tenths, for

twenty years from the time of the sowing or mowing as aforesaid : but on the expiration of said twenty years, a tenth shall be given to the city of Amsterdam, it being understood that half of said tenth shall be appropriated to the publick works and persons employed in the public service for repairing and preserving the same. And also, whenever any poundage or assessment is made, the same shall be employed for the erection and maintaining of the publick works as aforesaid.

23d.—The city of Amsterdam shall send ships from Holland for the produce of the colonists for their benefit, they consigning the freight to said city.

24th.—The city of Amsterdam shall provide warehouses in Holland for the reception of said produce, and sell the same for the profit of the shippers, and invest and remit the proceeds to order, for a commission of two per cent., and one-tenth of the profit to reimburse said city for the money it has advanced for the transportation of the persons and goods of the colonists *until* the advance is repaid and no longer.

25th.—The colonists may be supplied with necessaries from the city warehouse, at the set price. The accounts of such to be transmitted to Amsterdam.

26th.—The colonists may, for house or ship-building, and also for sale, cut any timber in the nearest woods of their district ; and any where within the jurisdiction of the West India Company in New Netherland, from land that has not been reserved or granted, “subject to the further conditions of the 28th Article.”

27th.—“The burgomasters of Amsterdam, as founders, patrons, and having the jurisdiction, shall appoint a secretary-legate for advancing the subalterns.”

28th.—“The hunting in the wilderness, as also the fishing in all waters and rivers which have not already been granted, shall be free to all the colonists ; subject to such regulations as shall be made under the authority of the States General.”

29th.—The city of Amsterdam shall provide that all necessary implements shall be shipped for the colonists, free of all charges.

30th.—The discoverer of any mine or mineral is to possess it free from any impost for ten years ; then to pay to the company one tenth.

31st.—The city of Amsterdam shall provide a warehouse wherein goods intended for the colony may be inspected by a person appointed by the West India Company, and another appointed by the city ; which goods, after inspection, shall be marked by the marks of both, and the impost paid by the company.

32d.—The company shall oversee the shipment of the goods in vessels provided by the city.

33d and 34th.—If the city should send goods to *New Amster-*

dam, they must be subject to the same regulations; but the said goods may be sent direct to any warehouse the city of Amsterdam may have in New Netherlands, and to the agents of said city.

35th.—Provides the rates at which the produce of the colony shall be credited to the company by the city, all the charges being covered by 10 1-4 per cent. The tools used by mechanicks as well as the instruments of agriculture, were free of duty to the colonists.

“All the productions of the soil of New Netherland, including salted and dried fish, were exported free. Peltries paid from 8 to 10 per cent. In the New Netherlands, 4 per cent, in light money, in addition, was charged upon all goods subject to any charges.”

General Johnson made his translation in 1833, finishing it on the 4th July, that year. I have abridged some parts—those marked with inverted commas, are literally transcribed.

APPENDIX G.—*Vol. I., p. 47.*

ALTHOUGH the first settlement on Long Island was made at the Waal Boght, (Walloon's Bay, or Wallabout,) near the United States Navy Yard, the first or earliest record of a deed for land in Brooklyn, is dated 1639, to Thomas Besker, at *Gawanus*. But there is a patent from Wouter Van Twiller to Andreis Hedden and Wolfert Gerritson. The first English settlement made on Long Island was made by Lyon Gardner, on Gardner's Island, considered a part of the larger island, and his first claim was confirmed by the agent of Lord Stirling, in 1639. In the reign of James I., of England, that monarch granted to Sir William Alexander a great part (or all,) of Nova Scotia, which grant was confirmed by Charles I., in 1625. Subsequently Alexander was created an Earl, by the title of Stirling; and he, to reward services done for him in Nova Scotia to further the settlement, made a person of the name of Etienne, and his heirs male, to all eternity Barons of New Scotland—to take precedence of all persons in said country—and the dignity to their wives and widows—and he granted them certain coats of arms, and the right to wear an orange ribbon, besides other honours and privileges equally valuable; but I do not find any gift, grant, or conveyance of land. However, in a subsequent paper from the same to the same, it is stated, that his majesty having granted all the country of New Scotland, “called by the French, *Acayde*,” to William Alexander, in 1621, he

grants to said Etienne a great extent of territory, (mentioning the bounds) where he and his heirs may make, build, and erect villages, towns, castles, and fortresses, as they shall see good. Unfortunately for the Earl, in the conflicting claims of French, English, and Dutch, the French first settled a part of Acadie, and the king of England having given Lord Stirling all Long Island, the Earl by his agents sold part; and when Charles II., without considering former grants, gave to his brother, the Duke of York, all New Netherland, James prudently purchased the previous right of Lord Stirling, for £300. The Earl had, besides, the island conveyed to Lyon Gardner which bears his name, sold through his agent a tract of land near Oyster Bay to some people residing near Boston, but Kieft dispossessed them by force.

APPENDIX H.—*Vol. I., p. 48.*

Charter of Liberties and Exemptions of 1629.

I. THAT such members of said Dutch West India Company, as may be inclined to settle any colony in New Netherland, shall be permitted, with the ships of this company going thither, to send three or four persons to inspect into the situation of the country, provided, that they with the officers and ship's company, swear to the instrument of conditions (articles) so far as they relate to them; and paying for provisions, and for passage, going and coming, six stuyvers* per day: and such as desire to eat in the cabin, twelve stuyvers, and to be subordinate, and to give assistance like others, in cases offensive and defensive: and if any ships be taken from the enemy, they shall, *pro rata*, receive their proportions with the ship's company, each according to his quality; that is to say, that the colonists eating out of the cabin shall be rated with the sailors, and such as eat in the cabin with those of the companies' men as eat at table, and receive the lowest wages.

II. Though in this respect, shall be preferred such persons who have first appeared, and desired the same from the company.

III. That all such shall be acknowledged patroons of New Netherland who shall, within the space of four years, next after they have given notice to any of the chambers, (or colleges) of the company here, or to the commander or council there, undertake to

* Twelve and a half cents.

plant a colony there of fifty souls, upwards of fifteen years old, one fourth part within one year, and within three years after the sending of the first, making together four years, the remainder to the full number of fifty persons, to be shipped from hence, on pain, in case of wilful neglect, of being deprived of the privileges obtained; but it is to be observed that the company reserve the Island of the *Manhattes* to themselves.

IV. That from the time that they make known the situation of the places, where they propose to settle colonies, they shall have the preference to all others, of the absolute property of such lands as they have there chosen; but in case the situation should afterwards not please them, or that they should have been mistaken as to the quality of the land, they may, after remonstrating the same to the commander and council there, be at liberty to choose another place.

V. That the patroons, by virtue of their power, shall and may be permitted, at such places as they shall settle their colonies, to extend their limits four miles* along the shore, that is on one side of a navigable river, or two miles† on each side of a river, and so far into the country as the situation of the occupiers will permit. Provided and conditioned, that the company keep to themselves the lands lying and remaining between the limits of colonies, to dispose thereof, when, and at such time as they shall think proper, in such manner that no person shall be allowed to come within seven or eight miles‡ of them, without their consent; unless the situation of the land thereabout were such, that the commander and council for good reasons should order otherwise; always observing that the first occupiers are not to be prejudiced in the right they have obtained, other, than unless the service of the company should require it for the building of fortifications, or something of that sort; remaining, moreover, the command of each bay, river, or island, of the first settled colony, under the supreme jurisdiction of their High Mightinesses the States General and the company: but that on the next colony's being settled on the same river or island, they may, in conjunction with the first, appoint one or more council, in order to consider what may be necessary for the prosperity of the colonies on the said river and island.

VI. That they shall forever possess and enjoy all the lands lying within the aforesaid limits, together with the fruits, rights, minerals, rivers, and fountains thereof: as also the chief command, and lower jurisdictions, fishing, fowling, and grinding, to the exclusion of all others, to be holden from the company as an eternal inheritance, without its ever devolving again to the company, and in case

* 16 English miles. † 8 English miles. ‡ 28 or 32 English miles.

it should devolve, to be redeemed and repossessed, with twenty guilders* per colony to be paid to this company, at their chamber here, or to their commander there, within a year and six weeks after the same happens; each at the chamber where he originally sailed from. And further, that no person or persons whatsoever, shall be privileged to fish and hunt, but the patroons, and such as they shall give liberty: and in case any one should in time prosper so much, as to found one or more cities, he shall have power and authority to establish officers and magistrates there, and to make use of the title of his colony, according to his pleasure, and to the quality of the persons.

VII. That there shall likewise be granted to all patroons who shall desire the same, *Venia Testandi*, or liberty to dispose of their aforesaid heritage, by testament.

VIII. That the patroons may, if they think proper, make use of all lands, rivers, and woods, lying contiguous to them, for and during so long time as this company shall grant them to other patroons or particulars.

IX. That those who shall send persons over to settle colonies, shall furnish them with proper instructions, in order that they may be ruled and governed conformably to the rule of government made, or to be made by the assembly of nineteen, as well in the political as judicial government; which they shall be obliged first to lay before the directors of the respective colleges.

X. That the patroons and colonists shall be privileged to send their people and effects thither, in ships belonging to the company, provided they take the oath and pay to the company for bringing over the people, as mentioned in the first article; and for freight of the goods five per cent. ready money, to be reckoned on the prime cost of the goods here: in which is, however, not to be included, such creatures and other implements as are necessary for the cultivation and improvement of the lands, which the company are to carry over without any reward, if there is room in their ships. But the patroons shall, at their own expense, provide and make places for them, together with every thing necessary for the support of the creatures.

XI. That in case it should not suit the company to send any ships, or that in those going there should be no room; then the said patroons, after having communicated their intentions, and after having obtained consent from the company in writing, may send their own ships or vessels thither; provided, that in going and coming they go not out of their ordinary course; giving security to the company for the same, and taking on board an assistant, to be

* A guilder was 20 stivers, or 3s. 4d. currency.

victualled by the patroons and paid his monthly wages by the company; on pain if doing the contrary, if forfeiting all the right and property they have obtained to the colony.

XII. That as it is the intention of the company to people the island of the *Manhattes* first, all fruits and wares shall, for the present be brought there, that arise upon the north river, and lands laying thereabouts, before they may be sent elsewhere: excepting such as are from their nature unnecessary there, or such as cannot, without great loss to the owner thereof, be brought there. In which case, the owners thereof, shall be obliged to give timely notice in writing, of the difficulty attending the same to the company here, or the commander and council there, that the same may be remedied as the necessity thereof shall be found to require.

XIII. That all the Patroons of colonies in New Netherland, and of colonies on the island of *Manhattes*, shall be at liberty to sail and traffick all along the coast, from *Florida* to *Terra Neuf*, provided, that they do again return with all such goods as they shall get in trade, to the island of *Manhattes*, and pay five per cent. for recognition to the company, in order, if possible, that after the necessary inventory of the goods shipped be taken, the same may be sent hither. And if it should so happen that they could not return, by contrary streams or otherwise, they shall in such case not be permitted to bring such goods to any other place but to these dominions, in order that under the inspection of the directors of the place where they may arrive, they may be unladen, an inventory thereof made, and the aforesaid recognition of five per cent. paid to the company here, on pain, if they do to the contrary, of the forfeiture of their goods so trafficked for, or the real value thereof.

XIV. That in case of the ships of the Patroons, in going to, coming from, or sailing on the coast, from *Florida* to *Terra Neuf*, and no farther, without our grant should overpower any of the princes of the enemy, they shall be obliged to bring, or cause to be brought, such prince to the college of the place from whence they sailed out, in order to be rewarded by them: the company shall keep the one third part thereof, and the remaining two thirds shall belong to them, in consideration of the cost and risk they have been at, all according to the orders of the company.

XV. That it shall also be free for the aforesaid Patroons, to traffick and trade all along the coast of New Netherland and places circumjacent, with such goods as are consumed there, and receive in return for them, all sorts of merchandizes that may be had there, except beavers, otters, minks, and all sorts of peltry, which trade the company reserve to themselves. But the same shall be permitted at such places where the company have no factories, conditioned that such traders shall be obliged to bring all the peltry they can procure to the island of *Manhattes*, in case it be at any rate

practicable, and there deliver to the director to be by him shipped hither, with the ships and goods ; or if they should come here, without going there, then to give notice thereof to the company, that a proper account thereof may be taken, in order that they may pay to the company, one guilder for each merchantable otter and beaver skin ; the property, risk, and all other charges, remaining on account of the Patroons or owners.

XVI. That all coarse wares that the colonists of the Patroons there shall consume, such as pitch, tar, weed-ashes, wood, grain, fish, salt, hearthstone, and such like things, shall be brought over in the company's ships at the rate of eighteen guilders per last,* four thousand weight to be accounted a last, and the company's ships crew shall be obliged to wheel, and bring the salt on board, whereof ten lasts made a hundred. And in case of the want of ships, or room in the ships, they may in ships of their own order it over at their own cost, and enjoy in these dominions, such liberties and benefits as the company have granted ; but that in either case they shall be obliged to pay, over and above the recognition of five per cent., eighteen guilders for each hundred of salt, that is carried over in the company's ships.

XVII. That for all wares which are not mentioned in the foregoing article, and which are not carried by the last, there shall be paid one dollar for each hundred pounds weight, and for wines, brandy, verjuice, and vinegar, there shall be paid eighteen guilders per cask.

XVIII. That the company promises the colonists of the Patroons, that they shall be free from customs, taxes, excise, imposts, or any other contributions, for the space of ten years : and after the expiration of the said ten years, at the highest, with such customs as the goods are taxable with here for the present.

XIX. That they will not take from the service of the Patroons any of their colonists, either man or woman, son or daughter, man-servant or maid-servant : and though any of them should desire the same, that they will not receive them, much less permit them to leave their Patroons, and enter into the service of another, unless on consent obtained from their Patroons in writing. And this for and during so many years as they are bound to their Patroons ; after the expiration whereof, it shall be in the power of the Patroons, to send hither all such colonists as will not continue in their service, and until then shall not enjoy their liberty. And all such colonists as shall leave the service of his Patroon, and enter into the service of another, or shall contrary to his contract leave his service ; we promise to do every thing in our power to apprehend and deliver the same into the hands of his Patroon, or attorney, that he may be proceeded

* \$7,50 for two tons.

against according to the customs of this country, as occasion may require.

XX. That from all judgments given by the courts of the Patroons for upwards of fifty guilders,* there may be an appeal to the company's commander and council in New Netherland.

XXI. That touching such particular persons, who, on their own account, or others in the service of their master here, (not enjoying the same privileges as the Patroons,) shall be minded to go thither and settle; they shall, with the approbation of the director and council there, be at liberty to take up as much land, and take possession thereof, as they shall have ability properly to improve, and shall enjoy the same in full property, either for themselves or masters.

XXII. That they shall have free liberty of hunting and fowling, as well by water as by land, generally and in publick and private woods and rivers, about the colonies, according to the orders of the director and council.

XXIII. That whosoever, whether colonists of Patroons, for their Patroons, or free persons for themselves, or other particulars for their masters, shall discover any shores, bays, or other fit places for erecting fisheries, or making of salt ponds, they may take possession thereof, and begin to work on them in their own absolute property, to the exclusion of all others. And it is consented to, that the Patroons of colonists may send ships along the coast of New Netherland, on the cod fishery, and with the fish they catch to trade to Italy, or other neutral countries; paying in such case to the company for recognition, six guilders per last;† and if they should come with their lading hither, they shall be at liberty to proceed to Italy, though they shall not under pretext of this consent, or from the company, carry any goods there, on pain of arbitrary punishment: and it remaining in the breast of the company to put a supercargo on board of each ship as in the eleventh article.

XXIV. That in case any of the colonists should by his industry and diligence, discover any minerals, precious stones, crystals, marbles or such like, or any pearl fishery, the same shall be and remain the property of the Patroon or Patroons of such colony; giving and ordering the discoverer such premium as the Patroon shall beforehand have stipulated with such colonist by contract. And the Patroon shall be exempt from all recognition to the company for the term of eight years, and pay only for freight to bring them over, two per cent., and after the expiration of the aforesaid

* \$20 83½

† Or, \$1 25 per ton.

eight years for recognition and freight, the one eighth part of what the same may be worth here.

XXV. That the company will take all the colonists as well free, as those that are in service, under their protection, and the same against all outlandish and inlandish wars and powers, with the forces they have there, as much as in their power layeth to defend.

XXVI. That whoever shall settle any colony out of the limits of the *Manhattes* Island shall be obliged to satisfy the Indians for the land they shall settle upon, and that they may extend or enlarge the limits of their colonies if they settle a proportionate number of colonists thereon.

XXVII. That the Patroons and colonists shall be particular, and in the speediest manner, endeavour to find out ways and means whereby they may support a minister and schoolmaster, that thus the service of God and zeal for religion may not grow cool, and be neglected among them ; and that they do, for the first, procure a comforter for the sick there.

XXVIII. That the colonies that shall happen to lay on the respective rivers or islands (that is to say, each river or island for itself,) shall be at liberty to appoint a deputy, who shall give information to the commander and council of that western quarter, of all things relating to his colony, and who are to further matters relating thereto, which deputies there shall be one altered, or changed, in every two years ; and all colonies shall be obliged, at least once in every twelve months, to make exact report as to the colony and lands thereabout, to the commander and council there, in order to be transmitted hither.

XXIX. That the colonists shall not be permitted to make any woollen, linen, or cotton cloth, nor weave any other stuffs there, on pain of being banished, and as perjurers to be arbitrarily punished.

XXX. That the company will use their endeavours to supply the colonists with as many blacks, as they conveniently can, on the conditions hereafter to be made ; in such manner, however, that they shall not be bound to do it for a longer time than they shall think proper.

XXXI. The company promises to finish the fort on the island of the *Manhattes*, and to put it in a posture of defence without delay. And to get these privileges and exemptions approved and confirmed by their High Mightinesses, the Lords States General.

APPENDIX I.—*Vol. I., p. 109.*

THE Dutch Reformed Church, was of the classis of Amsterdam. The first minister the Dutch West India Company sent to their colonists, was Everard Bogardus; the second persons who preached in the church at the fort, were John and Samuel Megapolensis—the latter of whom was likewise the physician of the colony, and preached in the church at the time that Nicholls took possession.

Governour Stuyvesant was one of the principal officers of the church, and built a chapel on his own farm, it is believed, after the church in the fort was called the king's chapel.

On the 31st of May, 1647, the director-general of New Netherland, Curaçoa, etc. etc., commander of all vessels in the company's service sailing in the West Indies, etc., found it necessary to issue the decree from which I make the following extracts :

“Whereas, we have observed the improper behaviour of some of our inhabitants, who even on the Lord's day, appointed for rest, thankfulness, and prayer, so far forget their duty as to get drunk, quarrel and fight with each other; of which infamous conduct we ourselves on the last Lord's day were witnesses; and whereas, such painful and disgraceful scenes take place in defiance of the magistrates, in contempt of our person and authority, and the dishonour of God's holy laws, which enjoin us to honour him and keep holy this day set apart by him for devotion and rest, and has prohibited those temptations that lead to evil doing: We therefore by and with the advice of our council, to prevent the effects of God's anger falling upon us, do by these presents command all tapsters and innkeepers, that, on the sabbath of the Lord, commonly called Sunday, they shall not sell or deliver to any person whatever, any wines, beer, or strong liquours of any kind, excepting only to travellers, or boarders in their houses, *before* two o'clock in the afternoon, on those days when there is no preaching; and when there is preaching, not until after four o'clock.”

This is enforced by a penalty of “six Carolus guilders” for each offence. And further, all tapsters and innkeepers are forbidden to keep their houses open on any day whatever, “after the ringing of the bells in the evening, which shall take place at nine o'clock in the evening.”

By the same decree or proclamation, the governour, by the advice of the council of the city of New Amsterdam, decrees, that any person who shall in anger draw a knife or dagger against

another, shall be fined for the offence one hundred Carolus guilders, and in failure of payment be subjected to the most menial labour, with bread and water for subsistence; and in case any person shall be wounded by another with knife or dagger so drawn as aforesaid, then the offender shall be fined three hundred Carolus guilders, or further confinement to labour as aforesaid.

It is by the necessity of such enactments, that we learn the vices of one part of the inhabitants, and the virtues of another, with the general simplicity reigning through the village-like city of our Dutch ancestors.

Again, on the 18th of June, the director-general and his council, published for the regulation of trade, and because certain persons having license to trade to the south, take the liberty of going to the north into the territories of the *Maquas* or Mohawks, and thereby injuring the regular traffick with the Indians, to the loss and damage of those who have regular licenses, and carry their cargoes to assigned places of deposit; and because by such unlicensed traders, the Indians may be provoked to acts of hostility—therefore all persons are prohibited under severe penalties, from going into the interior, but all traders are directed to carry on their traffick at the places of deposit appointed.

On the 1st of July, the governour and council, issued an order forbidding the sale of strong liquor of any description, on any pretence, to the Indians, and making the persons who abet the savages in buying, as well as the seller, liable to fine and punishment, for any mischief that may arise therefrom. And all trespassers upon fields and orchards that are fenced, are liable for damages, while the inhabitants are commanded to erect sufficient fences about their plantations, and the Fiscal, Van Dyke, is to erect a pound to detain cattle until damages are paid.

I find at this council, besides the former Director, William Kieft, the names of Derick Wagen, Monsieur La Montaignie, Captain Newton, Paulus Laenders, Jacob Losiere, Soloman Tenvassen, and John Classon Boll.

Besides these mandates, I find others in possession of the common council of New York, and translated by the Reverend Mr. Westbrook, by which Governour Stuyvesant endeavoured to remedy irregularities in building, and for the prevention of fires, “as the greater number of the houses are constructed of wood, and are covered with reeds;” and I likewise find the fact, that some of the buildings had wooden chimnies. The governour prohibited from that time, all wooden chimnies, between the fort and *Fresh Water*, or Collect; and places those already existing, under the protection, and in the power of *Fire-wardens*, (Thomas Hall, Martin Crozier, and George Woolsey,) and the commissary Adrian Keyser.

APPENDIX J.—*Vol. I., p. 116.**Stuyvesant's Letter to the Commissioners.**

“MY LORDS:—Your first letter, unsigned, of the 20–31st of August, together with that of this day, signed according to form, being the first of September, have been safely delivered into our hands by your deputies, unto which we shall say, that the rights of his majestie of England, unto any part of America here about, amongst the rest, unto the colonies of Virginia, Maryland, or others in New England, whether disputable or not, is that which, for the present, we have no design to debate upon. But that his majestie hath an indisputable right to all the lands in the north parts of America, is that which the kings of France and Spain will disallow, as we absolutely do, by virtue of a commission given to me, by my lords, the high and mighty States General, to be governour-general over New Holland, the isles of Curacao, Bonaire, Aruba, with their appurtenances and dependencies, bearing date the 26th of July, 1646. As also by virtue of a grant and commission, given by my said lords, the high and mighty States General, to the West India Company, in the year 1621, with as much power and as authentick, as his said majestie of England hath given, or can give, to any colony in America, as more fully appears by the patent and commission of the said lords the States General, by them signed, registered, and sealed with their great seal, which were showed to your deputies, Colonel George Carteret, Captain Robert Needham, Captain Edward Groves, and Mr. Thomas Delavall; by which commission and patent together, (to deal frankly with you,) and by divers letters, signed and sealed by our said lords, the States General, directed to several persons, both English and Dutch, inhabiting the towns and villages on Long Island, (which, without doubt, have been produced before you, by those inhabitants,) by which they are declared and acknowledged to be their subjects, with express command, that they continue faithful unto them, under penalty of incurring their utmost displeasure, which makes it appear more clear than the sun at noon-day, that your first foundation, (viz. that the right and title of his majestie of Great Britain, to these parts of America is unquestionable,) is absolutely to be denied. Moreover, it is without dispute, and acknowledged by the world, that our predecessors, by virtue of the commission and patent of the said lords, the States General, have without control, and peaceably (the contrary never coming to our knowledge, enjoyed Fort Orange about forty-eight or fifty years, the Mannhattans about forty-one or forty-two years,

* Smith's History of New York, Vol. 1., pp. 20–26.

the South River forty years, and the Fresh Water River about thirty-six years.

“Touching the second subject of your letter, (viz. his majestie hath commanded me, in his name, to require a surrender of all such forts, towns, or places of strength, which now are possessed by the Dutch under your command.) We shall answer, that we are so confident of the discretion and equity of his majestie of Great Britain, that in case his majestie were informed of the truth, which is, that the Dutch came not into these provinces, by any violence, but by virtue of commissions from my lords, the States General, first of all in the years 1614, 1615, and 1616, up the North River, near Fort Orange, where, to hinder the invasions and massacres, commonly committed by the savages, they built a little fort; and after, in the year 1622, and even to this present time, by virtue of commission and grant, to the governours of the West India Company; and moreover, in the year 1656, a grant to the honourable the burgomasters of Amsterdam, of the South River; insomuch, that by virtue of the above said commissions from the high and mighty States General, given to the persons interested as aforesaid, and others, these provinces have been governed, and consequently enjoyed, as also in regard of their first discovery, uninterrupted possessions, and purchase of the lands of the princes, natives of the country, and other private persons (though Gentiles,) we make no doubt that if his said majestie of Great Britain were well informed of these passages, he would be too judicious to grant such an order, principally in a time when there is so straight a friendship and confederacy, between our said lords and superiours, to trouble us in the demanding and summons of the places and fortresses, which were put into our hands, with orders to maintain them, in the name of the said lords, the States General, as was made appear to your deputies, under the names and seal of the said high and mighty States General, dated July 28, 1646. Besides what had been mentioned, there is little probability that his said majestie of England (in regard the articles of peace are printed, and were recommended to us to observe seriously and exactly, by a letter written to us by our said lords, the States General, and to cause them to be observed religiously in this country) would give order touching so dangerous a design, being also apparent, that none other than my said lords, the States General, have any right to these provinces, and consequently, ought to command and maintain their subjects; and in their absence, we, the governour-general, are obliged to maintain their rights, and to repel and take revenge of all threatenings, unjust attempts, or any force whatsoever, that shall be committed against their faithful subjects and inhabitants, it being a very considerable thing, to affront so mighty a state, although it were not against an ally and confederate. Consequently, if his said majestie (as it is

fit) were well informed of all that could be spoken upon this subject, he would not approve of what expressions were made in your letter ; which are, that you are commanded by his majestie, to demand in his name, such places and fortresses as are in the possession of the Dutch under my government ; which, as it appears by my commission before mentioned, was given me by my lords, the high and mighty States General. And there is less ground in the express demand of my government, since all the world knows, that about three years agoe, some English frigotts being on the coast of Africa, upon a pretended commission, they did demand certain places under the government of our said lords, the States General, as Cape Vert, river of Gambo, and all other places in Guyny, to them belonging. Upon which, our said lords, the States General, by virtue of the articles of peace, having made appear the said attempt to his majestie of England, they received a favourable answer, his said majestie disallowing all such acts of hostility as might have been done, and besides, gave order that restitution should be made to the East India Company, of whatsoever had been pillaged in the said river of Gambo ; and likewise restored to them their trade, which makes us think it necessary that a more express order should appear unto us, as a sufficient warrant for us, towards my lords, the high and mighty States General, since by virtue of our said commission, we do in these provinces, represent them, as belonging to them, and not to the king of Great Britain, except his said majestie, upon better grounds, make it appear to our said lords, the States General, against which they may defend themselves as they shall think fit.

“ To conclude : we cannot but declare unto you, though the governours and commissioners of his majestie have divers times quarrelled with us about the bounds of the jurisdiction of the high and mighty the States General, in these parts, yet they never questioned their jurisdiction itself ; on the contrary, in the year 1650, at Hartford, and the last year at Boston, they treated with us upon this subject, which is a sufficient proof that his majestie hath never been well informed of the equity of our cause, insomuch as we cannot imagine, in regard of the articles of peace between the crown of England and the States General, (under whom there are so many subjects in America as well as Europe,) that his said majestie of Great Britain would give a commission to molest and endamage the subjects of my said lords, the States General, especially such, as ever since fifty, forty, and the latest thirty-six years, have quietly enjoyed their lands, countries, forts, and inheritances ; and less, that his subjects would attempt any acts of hostility or violence against them : and in case that you will act by force of arms, we protest and declare, in the name of our said lords, the States General, before God and men, that you will act an unjust violence, and

a breach of the articles of peace, so solemnly sworn, agreed upon, and ratified by his majestie of England, and my lords, the States general, and the rather, for that to prevent the shedding of blood, in the month of February last, we treated with Captain John Scott, (who reported he had a commission from his said majestie,) touching the limits of Long Island, and concluded for the space of a year; that in the mean time, the business might be treated on between the king of Great Britain and my lords, the high and mighty States General: and again, at present, for the hindrance and prevention of all differences, and the spilling of innocent blood, not only in these parts, but also in Europe, we offer unto you, a treaty by our deputies, Mr. Cornelius Van Ruyven, secretary and receiver of New Holland, Cornelius Steinwick, burgomaster, Mr. Samuel Megapolensis, doctor of physick, and Mr. James Cousseau, heretofore sheriff. As touching the threats in your conclusion, we have nothing to answer, only that we fear nothing but what God (who is as just as merciful,) shall lay upon us; all things being in his gracious disposal, and we may as well be preserved by him with small forces as by a great army, which makes us to wish you all happiness and prosperity, and recommend you to his protection. My lords, your thrice humble and affectionate servant and friend, signed P. Stuyvesant.—At the fort at Amsterdam, the second of September, new style, 1664.”

APPENDIX K.—*Vol. I., p. 116.*

IN January, 1664, the States General give notice to all who, forgetful of the treaty of 1650, have put themselves under the English government, that, under pain of the high displeasure of the states, they shall submit and take the oaths to the Dutch authorities.*

In 1662, October 13th, Governour Stuyvesant wrote thus to the honourable deputy-governour and court of magistrates, at Hartford:—

“Honoured and worthy sirs.—By this occasion of my brother-in-law’s being necessitated to make a second voyage for ayd his distressed sister, Judith Varlott, imprisoned, as we are informed, upon pretend accusation off wychery, we realey believe, and out her well known education, life, conversation, and profession of faith, we dare assure that she is innocent of such a horrible crimen, and

* See manuscript in secretary of state’s office, Hartford.

wherefor I doubt not he will now, as formerly, finde your honour's favour and ayde for the innocent. I kan not omit to acquaint you (which should have been done sooner if my absence had not hindered it,) that one John Jonge, whether upon your orders, as he pretend, I doubt had undertaken, as by his seditious letters may appear, to divert and revoce the English towns in this province under the protection of the high and mighty lords, the Estaats General of the United Belgic Provinces, and in the jurisdiction of the right honourable lords of the West India Compagnie, settled of their oath and due obedience unto us, their lawful governour, which his unlawful proceedings amongst the silly and common people, without any acknowledgment or addresses unto us, as governour of this province—if you will owne as we do not hope you may—take notice that it is a absolute breach and a nullification of the argreement about the limits, A. D. 1650, made at Hardfort, between the honourable commissioners of New England, and us, as governour-generall of this province, and that, by that means the aforementioned high and mighty lords Estaats General, and right honourable lords of the West India Company ware given just grounds and reason to demand, and by such means as in wisdom shall thinke meete, to recover al that tract of land between Greenwich and the Fresh River, so long unjustly as it now doth appear, without any patent or commission, possessed and detayned from the aforementioned first possessors and owners, as it appears by the monuments of the howse, the hope by commission of the aforesaid lords, built and without molestation upon the Fresh or Connecticut River, possessed many years before any of the English nations did come there, but confyding and trusting most for the words and promises of the honourable Governour Winthrop as he did depart from hence, we shall with more discretion expect his desired arival, and leave the matters to our superiours in Europe, and shall after my respects and love presented, expect with the bearer your categorical answer, over and about the aforementioned John Jonge's seditious doings and writings.

“ Remaining in the mayne,

“ Your loving friend and neighbour,

“ P. STUYVESANT.

“ *N. Amsterdam in Netherlandt, the 13th of Or., 1662.*”

The journal of the Dutch commissioners, Cornelius Van Ruyven, Burgomaster Van Cortlandt, and Mr. John Lawrence, of the city of New Amsterdam, October, 1663, to Hartford, having been published in Hazard, and various other collections, I will only give an abstract of the voyage and proceedings.

The first thing that strikes the reader of the present day, is the clumsy and tedious travelling. On the second day of the voyage,

they cast anchor *within sight* of Stratford Point. By rowing and luffing, on the third day they landed at Milford, where they left their yacht under care of Mr. Treat, in case any privateers should attack her. Here they procured horses, and arrived that evening at New Haven. On the fourth day, they reached Hartford, where the governour and court being assembled, to lose no time, they that day delivered their letter, and the court provided a room for them with the marshal. On the next day, October 19th, they called on Mr. John Winthrop, and obtained his promise that he would remove all misunderstandings, etc. They then addressed the committee who were appointed to consider of their business, begging a categorical answer. A time was appointed, and they were disappointed, but invited to dine at the Town-hall; accepted the invitation, and after dinner, pressed their business, and were required to state briefly the demand—which was to know whether the colony held to the limits settled in 1650; if not, that they would appoint persons to treat:—finally, if that matters should be referred to their superiors in Europe, whether in the mean time matters should remain as settled in 1650. The whole afternoon was spent without effecting any thing. The New England gentlemen offered to refer the matter to Europe provided, meantime, the English towns on Long Island and Westchester should be under the government of Connecticut. Mr. Allen said that the English towns on Long Island would no longer remain under the Dutch government, and if the Dutch attempted to force them, they were resolved to defend themselves; he therefore advised the relinquishment by the Dutch until the matter was settled in Europe. The Dutch deputies said it would never be allowed, and that Connecticut caused this disposition in said towns by prompting them. They argued the matter *pro* and *con*, while it was already determined in England to seize the whole. They parted in the evening to resume the fruitless debate next morning. Finally, the Connecticut gentlemen told the Dutchmen that the towns must remain, as they had chosen, under English jurisdiction, and that if attacked, Connecticut would defend them. The Dutch deputies pleaded right and possession in vain: they talked till dinner time, were again invited, and again dined with the governour, to whom they complained after dinner, with the same effect, and were promised a written answer to the letter brought. The next, 21st, being Sunday, is passed at church, and in the evening with the governour, supping and talking. The 22d and 23d, no written answer, but the debate continued: the English said the towns were included in his majesty's patent. The Dutch deputies said the patent spoke of bounds in New England, and not in New Netherland. The reply was, "we know of no New Netherland." The debate continued until noon, which being dinner time, it was adjourned till that affair was over. Finally, say the Dutch deputies,

the unreasonable articles were delivered to them, to wit : that Westchester and all lands between that and "Stanford" shall belong to Connecticut, and she will forbear exercising any authority over Hempstead, Jamaica, etc., until the case be further considered, provided the Dutch will forbear to coerce the towns of Long Island. These articles being objected to, the Dutch deputies, to concede something, propose that Westchester and the settlements to Stanford, shall remain under the dominion of Connecticut, until the limits were fixed by reference ; but in the meantime, the Long Island towns "shall absolutely abide the government of New Netherland." Having delivered this proposal, they were answered, that the Long Island townships *would not* continue under the Dutch ; that they knew no New Netherland province but a Dutch government over a Dutch plantation on the Mannhattans ; that Long Island was included in their patent, and they would possess and maintain it.

After further useless talk, an answer was asked to the letter, as the Dutch deputies wished to depart on the morrow. The letter was brought in the evening with this superscription—"To the Honourable Peter Stuyvesant, Director-General, at the Manados." It was objected that the direction ought to be to the Director-General of New Netherland. It was answered, that it was at their option to receive it or not.

On the 24th the deputies departed from Hartford, and arrived at Manhattan on the evening of the 26th.

While Connecticut and New Netherland were disputing which should have Westchester and the towns on Long Island, the royal Duke had appropriated all the territory in question to himself ; and his royal brother was fitting out an armament to give him possession of all the Dutch province, and the part Holland had resigned to her English neighbours.

1658 It appears by the researches of Silas Wood, Esq., that at this time the custom of most towns of Long Island, was to pay for public services in produce, and probably barter was common in trade. Hempstead paid the herdsman twelve shillings stirring, in butter, corn, wheat and oats. Six bushels of corn was given for killing a wolf. East Hampton agreed to pay Thomas James, their minister, sixty pounds a year, "in such pay as men raise, as it passes from man to man." Jamaica gave Zachariah Walker, their minister, sixty pounds, in wheat and corn, at fixed prices. Gravesend gave their herdsman and assistant 600 guilders in "bacon and corn." Newtown paid her minister by a capitation of forty shillings a head, "half in corn, and half in cattle." The town court of Jamaica, gave damages in favour of a plaintiff, of twelve and a half bushels of wheat. Mr. Wood says, "the practice of paying in produce continued until about 1700."

1659 The chief sachem of the Montauks presented to Lyon Gardiner, the proprietor of Gardiner's Island, a deed for that territory, which is now (1839) Smithtown; in token of gratitude for having ransomed his daughter from the hostile Narragansetts. In 1659, and on to 1661, the dispute respecting the line between the Dutch and English on Long Island, though once agreed upon, was a subject of controversy.

1660 Bushwick settled. Mr. Wood has given the names of the tribes of Indians of Long Island when first settled. Their villages were on the bays, creeks and harbours, for the facility of taking fish, and large beds of shells mark to this day the scites of their wigwams. In New Jersey the same may be remarked; and Perth Amboy has many such mounds of oyster and clam shells now covered by the soil of many years.

The east end of Long Island has marks of a greater Indian population than any other part, and the Montauks have left their name to posterity at the extremity of Suffolk county, on the point and light-house which terminates the Island. A few families of the aborigines exist at this time, (1839) poor, degraded, squalid—and some few young men become sailors, and mingle with the crews of the whalers from Sagg Harbour.

In 1660, the commissioners of the United Colonies, ordered the people of East Hampton to protect the Montauks from the Narragansetts; and in case the latter came within six miles of the town, to remove them peaceably; but if they pursued the Montauks to the English houses, or within two miles of any town, the English were authorized to attack the aggressors.

1663 Smithtown, Long Island, settled. This land had been presented to Lyon Gardiner by Wyandanee, chief sachem of the Moutauks, in gratitude for having ransomed his daughter from the Narragansetts. Lyon Gardiner was a Scotchman, and had served as a lieutenant in the British army in the low countries: he came to this country in 1635, and erected a fort at Saybrook, under Lord Say and Seal, and commanded the garrison. In 1639, having purchased the island bearing his name from the Indians, and had the purchase confirmed by the European proprietors, (so called) he removed thither. His son David, born at Saybrook, is supposed to be the first white child born in Connecticut. Elizabeth the daughter of Lyon Gardiner, born on Gardiner's Island, September 14th, 1641, was probably the first English child born within the territory of New York. Gardiner's Island in 1663, (when Lyon Gardiner died) was appraised at £700: and in 1824 it payed one sixth of the taxes of East Hampton. It continues entire in the family, and belonged in 1824 to David Gardiner, the eldest son

of the late John Lyon Gardiner, Esq., the eighth lineal descendant from Lyon Gardiner.*

Southampton had been received into the government of New Haven, September 7th, 1643; and in September 1651, I find Southampton complaining to Connecticut against the Dutch for selling guns, powder, and lead, to the Indians.

In 1644, the commissioners for the United Colonies gave permission to Connecticut to receive Southampton, on Long Island, into its jurisdiction.

In September, 1657, New Haven had permission to receive Oyster Bay and Huntington, on Long Island, into its jurisdiction.

In September, 1660, "liberty is granted to the jurisdiction of Connecticut to take Huntington and Sataucket, two English plantations on Long Island, into their government," by the commissioners met at New Haven: and at the same time the Montauk Indians having petitioned for protection from the Narragansetts, the commissioners ordered, that if the Narragansetts came within six miles of any of the English towns under their jurisdiction, the English might remove them; and if the said Indians invade the Montauks, contrary to the order of the commissioners, and the Montauks retreat to the English houses or within two miles of any English towns, viz; Easthampton or Southampton, they may be resisted by the English inhabitants there.

At a session of the General Assembly of Connecticut, at Hartford, March 10, 1663, it was voted that Mr. Wyllys and Mr. Matthew Allyn go over to Long Island to settle the government on the west end of the Island, "according to the agreement at Hempstead in February last." They are desired to take the assistance of the

commissioners in those towns for regulating any disturbances. And in 1664 the same assembly resolved that,

"whereas his majesty hath been graciously pleased to confirm unto this colony, by charter, all that part of his dominion in New England, bounded, as in the said charter is expressed, *with the Islands*," therefore they claim *Long Island*.

March 1st, a meeting was held at Hempstead, to settle the limits of Flushing, Jamaica, and Hempstead. A committee was appointed of 1 from East Hampton, 4 from Southton, 4 from Sawtaccott or Brookhaven, Gravesend, Westchester, Oyster Bay, and Huntington.

A minister was settled at Newtown before 1664, his name Moore.

John Scott imposes on the people of Sawtaccott with an instrument called a *perpetuity*—ordered to appear before the court of

* S. Wood.

assizes at New York, by Nicolls, and his agreements with the people made void.

Captain John Underhill appointed high constable and under sheriff of the North Riding of Yorkshire, on Long Island, March 18th, by Nicolls.

First commission as justice of peace, given by Nicolls to Daniel Denton, of Jamaica. March 16th, other civil officers appointed. John Hicks, of Hempstead, Jonas Wood, of Huntington, and James Hubbard, of Gravesend, justices. William Wells appointed high sheriff of all the ridings of Yorkshire, on Long Island ; he lived at Southold, in the East Riding.

In 1664, the commissioners advise that New Haven and Connecticut be united as one colony ; and in 1667, I find them united as at the meeting of commissioners at Hartford, 5th September, 1667, “ now appearing for the colonies of New Haven, Mr. William Leete and Mr. Samuel Willis, commissioners above said, for Connecticut, declared that the colonies of Connecticut and New Haven were entered into one.”

Berkley and Cartaret assured to the settlers of New Jersey, that the province should be ruled by laws enacted by the representatives of the people who had the power of peace and war entrusted to them. No tax, custom, subsidy, tallage, assessment or duty whatever is to be imposed, except by the authority and consent of the general assembly. No person to be in any way molested for any difference in opinion or practice in matters concerning religion, unless he disturb the peace of the province : any law, custom or statute of England to the contrary notwithstanding. They the settlers, had assurance that they were exempted from the jurisdiction of the English parliament as to taxation or religion. The proprietors reserved the executive power, and the right to affirm or reject laws. Land was allotted according to the time of arrival, and the number of *indented servants and slaves* ; the settler paid a half penny per acre quit rent, and was bound to maintain one able bodied male servant per one hundred acres. The code was called “ The Laws of the Concessions,” and regarded as the charter. Philip Cartaret, the first governour added, that the settlers should be obliged to purchase the land so allotted to them, *from the Indians*. And some years after the proprietors ordered the Indian lands to be purchased by the governour and council, which were re-purchased at the same rate by the settlers.*

When Richard Nicolls, the duke’s governour, convened an assembly from the towns of Long Island, and Westchester to meet at Hempstead, March 1st, 1665, there appeared the following de-

* Scott, Smith, Chalmers.

puties. From New Utrecht, Jaques Cortelleau and Younges Hope. From Gravesend, James Hubbard and John Browne. From Flatlands, Elbert Elbertson and Roloffe Martens. From Flatbush, John Striker and Hendrick Gucksen. From Bushwick, John Stealman and Gilbert Tunis. From Brooklyn, Hendrick Lubbertzen and John Evertsen. From Newtown, Richard Betts and John Coe. From Flushing, Elias Doughty and Richard Cornhill. From Jamaica, Daniel Denton and Thomas Bennedict. From Hempstead, John Hicks and Robert Jackson. From Oyster Bay, John Underhill and Matthias Harvey. From Huntington, Jonas Wood and John Ketcham. From Brookhaven, Daniel Lane and Roger Barton. From Southold, William Wells and John Young. From South Hampton, Thomas Topping and John Howell. From East Hampton Thomas Baker and John Stratton. From Westchester, Edward Jessup and ——— Quinnby.

At this meeting, Nicolls promulgated the laws called the duke's laws, which continued in force, notwithstanding the peoples discontent, until Dongan was forced to convene a general assembly in 1683, who by degrees modified them and passed others.

1665 Nicolls, by letter dated April 20th, informs the justices of Long Island that, obliged by his majesty's commission, he was going to Boston, and leaves Captain Needham in command. Sheriff Wells, Captain Topping, of the governour's council, and Matthias Nicoll, secretary of the council, appointed to sit with the justices of the sessions on Long Island, to explain the laws to them.

A proclamation is issued for apprehending two persons accused of assaulting the constable in the execution of his office.

The deputies assembled at Hempstead, in March 1665, to justify an address made to the Duke of York, by a narrative asserting that, when Nicolls commission was first read at Gravesend, Governour Winthrop was present, and declared that Connecticut claimed no jurisdiction *de jure* over Long Island; that what they had done was for the welfare of the colony, etc.; and Governour Nicolls replied, that he would not put out any of the officers which Connecticut had set up in the civil state, but confirmed them. Some alterations were made by Nicolls in the laws he presented, and a disposition shown to accommodate them to the people. The deputies propose £200 to defray public charges, and applied to Nicolls to know whether they might not, after the example of the other colonies, choose their own magistrates; on which, he showed his instructions, and told them, that if they wished for a greater share in the government than his instructions gave them, they must go to the king for it.

A judgment having been obtained against William Lawrence, of Flushing, the governour, on appeal, made it void. Nicolls en-

couraged Paul Richards in the cultivation of the vine on Long Island, in 1664. The wine to be free of excise for thirty years.

October 3d, 1665. The Indians of Long Island submit to the English government, requiring protection from other Indians and Christians, and requiring that no one sachem should have authority given him over others, but each sachem govern his people and family as formerly; that they shall have equal rights with Christians in courts of justice, and they agree not to enter into any wars without leave from the English.

February 22d, (1665.?) The freemen of Southold in a meeting, appoint William Wells and Captain John Youngs to conclude any cause or matter relating to the several towns and to wait upon the governour, according to his letter of the 8th February. They ask that they may enjoy their lands in free sockage and their heirs forever; that the freemen may choose yearly their civil officers; that all trained soldiers may choose their officers yearly; and that the people may not pay for any fortifications, "but what may be within" themselves; nor be enjoined to train without the limits of the town; that they may have three courts in Southold in a year, and choose assistants to sit with the magistrates, and that they may have power to try all causes except criminal, and determine without appeal all to £5; that no magistrate shall have yearly maintenance; that no tax be raised "without the consent of the major part of the deputies in a general court or meeting."

A letter from Nicolls to Messrs. Howell and Youngs, without date, gives permission to inform all persons on Long Island that the commissioners have settled the boundaries between the Duke of York's patent and Connecticut; and have agreed with "Master Winthrop" that all Long Island remains to the Duke. That as it is winter, he does not think it convenient to put the inhabitants to the trouble of sending deputies to meet in relation to the affairs of the island, but weather permitting, he will notify them of time and place of meeting: in the mean time, magistrates formerly appointed shall remain under the Duke's government, and in his majesty's name. That he has not considered of any tax, but they may assure themselves of equal freedom and immunities, if not greater, than his majesty's subjects of any of the New England colonies enjoy; and that he will promote trade, and encourage all sober and industrious persons in their plantations. He further says, he will require no further service, than upon due notice to be as ready to defend his majesty's territory, as they were to reduce it to obedience.

1674 The inhabitants of Southold met November 17th, 1674, and declared and owned that they were under his majesty's government of Connecticut, and wish so to continue. They unanimously vote that speedy application be made to the government of Connecticut for council how to answer the demands of Andros.

They vote that a standing committee be appointed to manage their affairs during these transactions, either in regard to Connecticut, to whom they profess to owe their protection and defence, or to New York: and accordingly they chose their committee.

1676 On the 7th day of October, the court of assizes, upon the reading of certain letters from Southampton and Southold, stating their reasons for not complying with the law in taking out grants, patents, or confirmations for their towns or lands—viz: law of 1664, or of council and assizes, 1666 and 1670, relating thereunto—give judgment that the said towns for their disobedience to law, have forfeited all their titles, rights, and privileges to the lands in said townships, and give them to Monday fortnight, the 23d inst. to acknowledge their fault and obey. This time is granted to the towns or individuals.

December 10th, 1674—Salisbury informs the inhabitants of Southold and Singleland that he is empowered by the governour to receive the return of this place into the colony of New York, agreeable to the grant to the Duke of York, and he accordingly declares that he does so receive the return of said place or territory from the colony of Connecticut, by whose help and protection they have been secured from the Dutch invasion, unto the obedience of his Royal Highness.

In 1657 is the first notice of Quakers in New Netherland; when Robert Hodshone, Christopher Holden, Humphrey Norton, Mary Wetherhead and Dorothy Waugh, arrived at New Amsterdam; and the two women were confined or put into a dungeon for preaching in the streets. Hodshone went to Hempstead on Long Island, where he preached, and was taken up, as were two women for entertaining him.* Other Quakers coming from New England, were treated with severity by Stuyvesant: their number was small, and they met in the woods for worship about Flushing, Jamaica and Newtown.

John Bowne of Flushing was a baptist, but his wife was a Quaker minister; and John went to the meetings of the Quakers, and was so touched that he joined the sect and offered his house for their meetings; in consequence of which he was forcibly carried to New Amsterdam, and as he would not agree to discontinue the use of his house for the Quaker meetings, he was in 1662 sent prisoner on board a ship of war to Holland; but was landed in consequence of stress of weather in Holland, and suffered to go at large on his promise to appear, which he did, and was heard before the West India Company; who finding him stedfast, set him at liberty. When he returned home he found the government with the English; and Stuyvesant “made

* See Sewel's History, p. 256.

an acknowledgment to him for the cruel treatment inflicted on him by his order."

1671 The Quakers encreased much in the two western counties of Long Island. Quarterly meetings were held, and
 1692 in 1692 a yearly meeting was held at Flushing. In 1696
 a meeting house was built in New York. From this time
 1696 the society has encreased, and their history is well known.

There is an engaging from a picture of George Fox, painted in 1624, aged 30, in the Historical Society's Library. The first meeting house for Quakers that I remember in New York, was in Crown street, (now Liberty street,) it was afterwards Grant Thorburn's seed-store, and now (1839) a number of houses occupy this ground. The second meeting house was in Queen street, (changed to Pearl street,) and now the place built up with houses near Madison street; while many places have been purchased in more private and less costly situations, and houses of worship built, at the same time that the sect has divided into Unitarians and Trinitarians; but both have adhered to many of the admirable moral and political regulations and customs which distinguish them from other nominal Christians.

APPENDIX L.—*Vol. I., p. 118.*

Memoranda of the Genealogy of the Stuyvesant Family.

GOVERNOUR PETRUS STUYVESANT, came from Amsterdam. Arrived here the 27th of May, 1647. He was married to Judith Bayard, (a fugitive from France) who died in 1686. They had two sons—Balthaza Lazar, born 1647, and Nicholas William, born 1648.

Balthaza, after the surrender of the Province to the English, removed (in disgust) to St. Thomas in the West Indies. He died at Nevis, 1675. He married in the West Indies, and had two daughters born at St. Eustace; viz., Judith, born in 1674, married to ——— Edsall; and Katharine, born 1675, married to Abraham Tassamaker.

Nicholas William, (the son of the governour) married to Maria Beekman, of New Amsterdam, who died without issue. He then married Elizabeth Sleghtenhorst, by whom he had two sons and one daughter; viz., *Petrus*, born March 1684—drowned in 1705, having never been married. *Anna*, who married the Rev. Mr. Pritchard, of New York, a clergyman of the church of England, and died without issue; and

Gerardus, who married Judith Bayard, who had four sons, only two of whom survived their father; viz., *Nicholas William*, who subsequently died without issue, having never been married; and

Petrus, born 1727, died September 7th, 1705. He married Margaret Livingston, (daughter of Gilbert Livingston) who died January 8, 1818. They had several children, six of whom survived their parents; viz., *Judith*, (the wife of Benjamin Winthrop) *Cornelia*, (the wife of Dirck Ten Broeck) died February 24, 1825; *Nicholas William*, died March 1833, leaving several children; *Margaret*, died unmarried, October 29, 1824; *Elizabeth*, the widow of Colonel Nicholas Fish, and

Peter Gerard Stuyvesant, Esq., the present representative and head of the family, and President of the New York Historical Society.

Of the children of *Petrus Stuyvesant*, there are now living, *Peter Gerard Stuyvesant, Esq.*, *Mrs. Winthrop*, and *Mrs. Fish*; also a large number of grand children, and great-grand children.

APPENDIX M.— Vol. I., p. 139.

It has often been insisted on, that this conquest did not extend to the whole province of New Jersey, but upon what foundation I cannot discover. From the Dutch records, it appears that deputies were sent by the people inhabiting the country, even so far westward as Delaware river, who in the name of their principals, made a declaration of their submission; in return for which, certain privileges were granted to them, and three judicatories erected at Niewer Amstel, Upland, and Hoer Kill. Colve's commission to be governour of this country is worth printing, because it shows the extent of the Dutch claims. The translation runs thus:

“ The honourable and awful council of war for their High Mightinesses the States General of the United Netherlands, and his Serene Highness the Prince of Orange, over a squadron of ships, now at anchor in Hudson's river, in New Netherlands: To all those who shall see or hear these, greeting: As it is necessary to appoint a fit and able person to carry the chief command over this conquest of New Netherlands, with all its appendencies and dependencies, from Cape Hinlopen, on the south side of the South or Delaware bay, and fifteen miles more southerly, and the said bay and South river included; so as they were formerly possessed by the directors of the city of Amsterdam, and after by the English

government, in the name and right of the Duke of York ; and further, from the said Cape Hinlopen, along the Great Ocean, to the east end of Long Island, and Shelter Island ; from thence westward to the middle of the Sound, to a town called Greenwich, on the main, and to run landward in northerly ; provided that such line shall not come within ten miles of North river, conformable to a provincial treaty made in 1650, and ratified by the States General, February 22d, 1656, and January 23rd, 1664 ; with all lands, islands, rivers, lakes, kills, creeks, fresh and salt waters, fortresses, cities, towns, and plantations therein comprehended. So it is, that we being sufficiently assured of the capacity of Anthony Colve, captain of a company of foot, in the service of their High Mightinesses, the States General of the United Netherlands, and his Serene Highness the Prince of Orange, etc., by virtue of our commission, granted by their before mentioned High Mightinesses and His Highness, have appointed and qualified, as we do by these presents appoint and qualify, the said Captain Anthony Colve, to govern and rule these lands, with the appendencies and dependencies thereof, as governour-general ; to protect them from all invasions of enemies, as he shall judge most necessary ; hereby charging all high and low officers, justices, and magistrates, and others in authority, soldiers, burghers, and all the inhabitants of this land, to acknowledge, honour, respect, and obey the said Anthony Colve, as governour-general ; for such we judge necessary, for the service of the country, waiting the approbation of our principals. Thus done at Fort William Henderick, the 12th day of August, 1673.

“ Signed by } “ *Cornelius Evertse, Jun,*
 } “ *Jacob Benkes.*”

The Dutch governour enjoyed his office but a very short season, for on the 9th of February, 1674, the treaty of peace between England and the States General was signed at Westminster ; the sixth article of which restored this country to the English. The terms of it were generally : “ That whatsoever countries, islands, towns, posts, castles, and forts have or shall be taken on both sides, since the time that the late unhappy war broke out, either in Europe or elsewhere, shall be restored to the former lord and proprietor, in the same condition they shall be in, when the peace itself shall be proclaimed ; after which time there shall be no spoil nor plunder of the inhabitants, no demolition of fortifications, nor carrying away of guns, powder, or other military stores, which belonged to any castle or fort, at the time when it was taken.”*

* Smith's history of New York, Vol. 1., pp. 43-46.

APPENDIX N.—*Vol. I., p. 135.*

1683 AT a general assembly, held in New York, 17th October, 35th of Charles II., and continued by adjournment until 3d November following, it was enacted, that the supreme authority under the king and duke “shall forever reside in a governour, council, and the people met in general assembly.”

2. The exercise of the chief magistracy shall be vested in a governour, assisted by a council, who is to govern according to law.

3. In the governour's absence, the oldest of the council to take his place.

4. Assemblies to be held at least triennially.

5. Voters for assembly to be freeholders or freemen.

6. The number of representatives for the city and county of New York, four; Suffolk, two; Kings, two; Queens, two; Richmond, two; Westchester, two; Albany, two; Schenectady, (in Albany County,) one; Duke's County, two; Cornwall, two: and as many more as his R. H. shall think fit to establish.

7. These delegates, with the governour and council, to have the sole legislative power.

8. The said representatives to appoint their times of meeting during the session, and to adjourn from time to time at their will.

9. Sole judges of the qualifications of their own members.

10. Free from arrest while sitting and going and coming—also, three servants.

11. Bills passed, to be presented to the governour for concurrence, and laws repealed by the authority that made them, with concurrence of the *Duke*.

12. In case of vacancy in the assembly, the governour issues summons for a new election.

13. Freemen exempt from imprisonment, etc., but by judgment of peers, according to law.

14. No tax but by consent of the three powers—governour, council, and representatives.

15. Trials by jury of twelve. 16. Grand jury.

17. Bail allowed, except for treason and felony.

18. No freeman compelled to receive soldiers into his house but in time of war.

19. “From henceforward, no land in the province to be accounted a chattel or permanent estate, but an estate of inheritance, as in England.”

20. No court to have power to issue execution against any

man's land, to be sold or otherwise disposed of, without the owner's consent; but the profits and issues of his land to be liable for debts, etc.

21. No estate of a *femme covert* to be sold without her consent—she to be secretly examined.

22. All wills attested by two credible witnesses, and registered forty days after the testator's death, as valid to convey real property as a deed.

23. Widows to have the thirds, and to have the privilege of living in the chief house of the deceased husband forty days after his death.

24. All persons professing faith in God by Jesus Christ, to have free and full liberty unmolested to exercise the mode of worship agreeable to them, provided they do not disturb the good people. Ministers can recover money engaged to be paid to them "by law—by sale and distress," and a mode pointed out by a justice and constable, "provided the subscription do not exceed 40s; if it do, to be recovered as the law directs."

25. All the Christian churches in the province to have the same privileges as heretofore.

26. Duties imposed to defray the charges of government—40s upon a pipe of wine, 20s per hogshead of Rhenish wine, 2 per cent. on merchandize, (the cost) etc., 10 per cent. ad volorem upon India goods and some enumerated articles, 12 upon a barrel of powder, and 6s on a cwt. of lead, etc. etc. An excise was laid on liquors, beer and cider excepted, of 12d per gallon on sales less than five gallons, and the same on that carried up the Hudson. Beaver skins, 9d, and others in proportion.

In 1683, the province was divided into shires and counties.

1. The city of New York included Manhattoes, Manning's, and Barn Island.

2. Westchester contained East and West Chester, Bronxland, Fordham, and all as far eastward as the province extends, and as far north as the Highlands.

3. Ulster had the towns of Kingston, Hurly, Marbletown, New Paltz, and all the villages and Christian habitations on the west side of the Hudson from Mindane's Creek near the Highlands, to Sawyer's Creek.

4. Albany extended beyond Renssellaerwyck, and Schenectady, including as above from Sawyer's Creek to Saratoga.

5. Dutchess, from the bounds of Westchester on the south, along the Hudson to Jamson's Creek, and east, into the woods twenty miles.

6. Orange, as now, except on the west it ran to Delaware River.

7. Richmond, as now.

8. Kings, to contain Brooklyn, Bedford, Bushwick, Flatlands, New Utrecht, and Gravesend.

9. Queen's—Newtown, Jamaica, Flushing, Hempstead, and Oyster Bay.

10. Suffolk—Huntington, Smithfield, Brookhaven, Southampton, Southold, Easthampton to Montauk Point, with Shelter Island, Isle of Wight, Fisher's Island, and Plumb Island.

11. Duke's County, to contain the islands of Nantucket, Martha's Vineyard, Elizabeth Island, and No-man's-land.

12. Cornwall to contain Pemaquid, and all his R. H.'s dominions in those parts, and the islands adjacent, etc. A high sheriff to be appointed for each county, who was allowed his deputy.

An act was also passed which naturalized all persons residing in the province, professing Christianity, and taking the oaths.

Another repealed former laws respecting county rates, and allowed justices £20 per annum, on Long Island.

Other laws were passed this year, establishing county courts, etc. and presenting Dongan with 1d on the pound, on all estates real and personal in the province.

1684 Another assembly in the city of New York, the same delegates appearing. They settled and explained former acts—passed one concerning *Surgeons* and medicines*—concerning marriages; none valid unless the banns are published three Lord's days; a justice might marry; marriages contrary to this act considered fornication, and proceeded against as in such cases; a married person being absent unheard of for five years, justifies his partner's marrying again.

APPENDIX O.—*Vol. I., p. 136.*

1683 On the 28th of November, Dongan agreed with Robt. Treat, governour of Connecticut, and certain other commissioners joined with him, that the bounds between the Duke of York's territory and Connecticut, should begin at Byram river, between Rye and Greenwich, where it falls into the sound at Lyon's Point, the east point of said river, from thence run with the river to the place where the common road or wading place is over the river, from thence, N. N. W. into the country, eight miles from Lyon's Point, and a line of twelve miles being measured from Lyon's Point, ac-

* See Duke's Laws.

cording to the course of the sound east, from the end of said twelve miles another line shall run from the sound eight miles N. N. W., and a fourth line be run from the northwest of the line first mentioned, and unto the northmost end of the eight mile line, being the third mentioned line, which fourth line, with the first mentioned, shall be the bound where they shall fall to run. And that from the eastward end of the fourth mentioned line, (which is to be twelve miles in length,) a line parallel to Hudson's river, in every place twenty miles distant, shall be the bounds of Connecticut, so far as Connecticut doth extend northward, that is the S. line of Massachusetts.

There are some provisos that the first mentioned line, shall not take from the twenty miles aforesaid, and the surveyor to run the lines in October next. They, accordingly met at Stamford, and concluded the business.

In 1664, commissioners had represented the claims of Connecticut, and to show that Long Island, should be under Connecticut: but the S. bounds of Connecticut, were increased to the sea, and Long Island belonged to the Duke of York. The creek of Mamaroneck, thirteen miles east of Westchester, and a line drawn from the E. point or side, where the fresh water falls into the salt at high water mark, N. N. W., to the line of Massachusetts, to be the western bounds of the colony of Connecticut. Agreement dated, 1st of December, 1664, between Richard Nicolls, George Cartwright, and Samuel Maverick; and John Winthrop, Alleyn, Sen., Richards, Gold, and John Winthrop, Jun.

APPENDIX P.—*Vol. I., p. 212.*

Laws established in New York, 1664, by James Duke of York, published in this year, March 1st., "at Hempstead upon Long Island."

Debts.—Actions under £5, shall be referred to two arbitrators chosen by the constable: if a party refuse such arbitration, then the next justice of the peace, shall appoint three arbitrators, and the party refusing, shall pay the additional cost. In the first case, the constable is to have one shilling and the arbitrators two shillings and sixpence each: in the second case, the justice to have seven shillings and sixpence, the arbitrators five shillings each, and the constable two shillings and sixpence, to be paid by the party cast. Actions above £20, to be tried at the sessions.

Arrests.—No arrest to be made on the sabbath day, the day of humiliation for the death of Charles I., the day of thanksgiving for the restoration of Charles II., or upon the 5th of November: but the sheriff may seize any rioters, felons, or jail breakers.

Slavery.—No *Christian* shall be held in slavery *except* judged thereto by authority; or such as willingly sell themselves.

Capital punishment, Death.—For denying the true God and his attributes: for premeditated murder: for slaying with weapon one who has no weapon: for poisoning: for beastly copulation: for sodomy: for kidnapping: for false witness in trial for life: for denying his Majesty's right, or resisting his authority by arms: for treason to surprize town or fort. For striking a parent the child is adjudged to death if above sixteen and not an idiot.

Churches.—Every parish to build a church. Eight householders in each parish to be chosen by the majority to be overseers, of whom two to be church wardens, and assessments for building, supporting ministers, etc., to be made by the overseers. Every minister shall produce testimonial to the governour of ordination, by a bishop or minister of the reformed religion, and be elected by a majority of the householders. Church-wardens are to present once a year all misdemeanours and sins.

Courts.—To be held in each *riding* three times a year. Many necessary regulations are made relative to the administration of justice. Every town to provide a "pair of stocks for offenders," and a pound for cattle. Prisons and pillories are likewise to be provided where courts are held.

Public charges.—"Every inhabitant is to contribute to all churches, both in church and colony."

Records to be kept at New York city.

Voters are freeholders and householders.

Wolves.—Wolves heads paid for to Christian or Indian to the value of an "Indian coat."

Richard Nicolls added explanations and amendments; and in 1666, Matthias Nicolls, secretary to the Court of Assizes, published further amendments: and again in 1672, and in 1675.

APPENDIX S.—*Vol. I., p. 246.*

Copy of a Letter from Earl Bellomont to Col. Abraham De Peyster.

"BOSTON, 4th Sept. —99.

"SIR,—I cannot perform my promise of looking over your account, as yet, for I am engaged at present, and have been so all

this last week, in writing packets or volumes of letters to England by a ship that stays for me.

“ I writ to my cousin Nanfan last post, to let the city of New-York have the stones of the old bastions or batteries, to build their Town-house. I am not dissatisfied with the sheriffe, since my cousin Nanfan and you vouch so much for his honesty; but he should have taken more care of Brickmaster.

“ I have writ to my cous. Nanfan, this post, my reasons why it will not be fit to continue the same mayor and sheriffe another year for the city of New York. As soon as you receive the original or a copy of the letter to Dellius from the French woman at Canada, I desire you will not fail to send it to

“ Your affectionate servant,
“ BELLOMONT.

“ Our service, I pray, to Madame De Peyster.

“ Mr. Leisler tells me an ugly story of Mr. Graham’s design of cheating him of a house and lot at New York. I desire you will send for Mr. Walters privately, and advise him to caution old Mrs. Leisler (with whom her son has left a general letter of attorney) not to part with that piece of ground to Graham, nor any thing else. That man will undo himselfe with his knavish tricks. One would thinke he has guilt enough on his head for being the principal author of the murther of Leisler and Milbourne; but it seems bathing his hands in the blood of the father is not enough, but he will also cheat the son. I am content that you show this letter to Mr. Walters, and pray get him to send me his affidavit of Mr. Graham’s insinuations to his father, Leisler, and himselfe, to procure their interest to be chosen a member of the assembly; which they were prevailed with to do, and afterwards he became Leisler’s and Milbourne’s mortall enemy. This account Mr. Walters told me once or twice.

“ Dr. Staats also told me how he was affronted and threatened by a papist, in the field, when the election was of members to serve for New York in that very assembly that worried Mr. Leisler and Milbourne to death, under the conduct of Mr. Graham. Let me also have Dr. Staats’s affidavit of that, and some proof of Major Tredwell’s imprisonment, to hinder either his being chose or his sitting in assembly after he was chose. If it be possible, let me have these evidences next post.”

Copy of a Letter from Earl Bellomont to Col. Abraham De Peyster.

“ SIR,—I have received yours of the 4th inst., and will not fail to write to England about your affair with Van Sweeten, with this packet, which I am to send away within four or five days. I am very sorry I have not the letter to Dellius to send home. I desire

you will speak to Mr. Walters to deliver you upon oath what was transacted between Mr. Graham and him at the time Graham prevailed with Captain Leisler and him to make an interest for Graham's being chose of the assembly, that press'd Coll. Sloughter to take away the lives of Capt. Leisler and Mr. Milbourne, as I writ to you in my last letter. And pray get Dr. Staats's affidavit, as I desired in that letter. 'Tis wonderful to me that Dr. Staats and the rest of Leisler's party have not in all this time got counter-subscriptions signed by their party at Albany, against Dellius—as the other party got subscriptions in favour of Dellius. They are just the people that will. Nichols paints Staats to be, in his pamphlet, *Impenetrable B.*

“ When you hear any news from Schermerhorn about the trees for masts, pray let me know it. My wife's and my service to Madame De Peyster.

“ I am your affectionate friend, and servant,

“ BELLOMONT.

“ I have writ to Coll. Courtland to pay you my arrear of salary, and for the time to come to pay it to you monthly, as it grows due.

“ COLL. D'PEYSTER.”

APPENDIX T.—*Vol. I., p. 247.*

Abstract from the Records of the Corporation of New York.

1701 September 29th.—The usual return of aldermen and assistants for next year, is : Dock Ward—Philip French and Robert Livingston. South Ward—Nicholas Rosevelt and Hendrick Jellison. West Ward—David Provoost, Jun., and Peter Williamse Roome. East Ward—Johannes De Peyster and Abraham Brazier. North Ward—Jacob Barker and Garret Ocleberg. Out Ward—Martin Clock and Abraham Mesier. A warrant under the hand and seal of the honourable lieutenant-governour read, etc., appointing persons to examine into the election of aldermen. Whereupon, ordered, that the recorder and Alderman De Peyster be a committee forthwith to acquaint his excellency that the common council of this city *are the sole judges of their due elections*, and returns of the magistrates and officers for their corporation. The committee report that Governour Nanfan is gone abroad, and it is adjourned to to-morrow. Lawrence Van Hook is appointed high constable by the mayor.

October—The lieutenant-governour and council appoint Thomas

Noel, Esq., mayor for next year. The committee appointed to inform Governour Nanfan that the common council are the sole judges, etc., report, "that they acquainted him with the opinion of this court, and gave him the warrant which he had directed to William Sharpe and Barne Cossens, who put the warrant into his pocket and told them he would consider the matter, and give an answer in a day or two."

October 4th.—Complaints made of undue returns by Alderman De Peyster. A committee appointed to examine.

10th.—The committee report that the returns are right, and the court approve. The mayor, Dr. Rheiner, produces six writs of mandamus, requiring the mayor, aldermen, and recorder to swear John Hutchins alderman of the West Ward, Brandt Schuyler of the South, and William Morris of the East: and Jeremiah Tothel assistant of the East Ward; Johannes Johnson, of the South; and Robert White, of the West. Ordered, that the common council make return of the said writs cum protestando of misnomer, and all the defects of the same, and that the mayor fee council for the city.*

14th.—The new Mayor, Noel, sworn before Governour Nanfan.

November 11th.—Thomas Noel, Esq., mayor, acquainted the court that from the day he was sworn in, "for want of a settled magistracy, he had kept a memorandum or journal of several matters that had been transacted within this city which related to the publick." This is read and entered on the records.

Abstract of the memorandum.—That he was sworn the 14th of October, before Nanfan, lieutenant-governour, at Fort William, with due solemnity, and went through the usual formalities which are enumerated.

That upon his ordering the recorder to swear the new aldermen, he said they were already sworn by the old mayor, except Mr. Phillip French and Mr. Lurting, whereupon they were sworn; that then there were delivered to Noel six of her majesty's writs of mandamus directed to the mayor and recorder for the time being, one of which was for swearing Brandt Schuyler alderman of the south ward, and naming the persons appointed as above: these writs being openly read by many people in the room, several disputes thereupon arose, several affirming that the aldermen and assistants sworn by the old mayor were not legally sworn, it being contrary to the ancient rights, privileges and customs granted by the charter, and contradicting the usage in such cases; it being the usage that the new mayor swear the new aldermen and assistants;

* Here we have the mayor in office and common council, beginning opposition to the lieutenant-governour and the Leislerian party.

and that those sworn by the old mayor had illegally returned themselves, and the persons named in the mandamus were legally elected; and great heats arose, "and I" said Noel, "thought it convenient to leave the chair and dissolve that assembly to prevent the danger that seemed to threaten." "Upon which the multitude dispersed." He says, that the aldermen and assistants were always sworn by *the new mayor*, and by the books "there is not one precedent that the *old mayor* took that authority upon him." That he (Noel) called the common council "on Monday the 20th October," in order to swear the aldermen mentioned above as opposed to Dr. Rheiner's party; that he went into the court room and told the gentlemen what he intended to do; they answered, they were already sworn; "I answered, not by me or my consent, and I could not consent to set with them." Noel offered the oaths and they refused them: he desired them not to come upon the bench; they said they were duly sworn and had a right to sit there. Noel left the room telling them he could not act with them. "Mr. David Provoost answered, that he would not be sworn by me, and thereupon I went home."

On the 21st he says, that he and Alderman French went to the City Hall, in order to adjourn the Mayor's Court, "when I found Messrs. Depeyster, Provoost and Roosevelt, who followed me up into the court-room, and there stood until I and Alderman French opened and adjourned the court, and then went away."

That he told the recorder that he would swear the alderman and assistants that were returned without dispute if they would admit of it; which done, there would be a sufficient number to hold a common council for the renewal of the city laws, and he proposed to the recorder to join him in this business.

On the 22d the recorder told Noel, at his house, that he could not assist him in this plan. Noel proceeded on the scrutiny, and appointed Rip Van Dam and others to scrutinize, and accordingly issued a warrant for the said persons to act. The persons so called on by Noel's warrant would not serve or obey, except Rip Van Dam and Matthew Long; and before them certain persons swore they were not of lawful age when they voted, and others did not reside in the wards where their votes were taken.

APPENDIX U.—*Vol. I., p. 254.*

“ LORD Cornbury’s father, the Earl of Clarendon, adhered to the cause of the late abdicated king, and always refused the oaths both to King William and Queen Anne; but the son recommended himself at the revolution by appearing very early for the Prince of Orange, being one of the first officers that deserted King James’s army. King William, in gratitude for his services, gave him a commission for this government, which, upon the death of the king, was renewed by Queen Anne, who at the same time appointed him to the chief command of New Jersey, the government of which the proprietors had lately surrendered into her hands. As Lord Cornbury came to this province in very indigent circumstances, hunted out of England by a host of hungry creditors, he was bent upon getting as much money as he could squeeze out of the purses of an impoverished people. His talents were perhaps not superiour to the most inconsiderable of his predecessors; but in his zeal for the church he was surpassed by none.

“ His lordship, without the least disguise, espousing the anti-Leislerian faction, Atwood, the chief-justice,* and Weaver, who acted in quality of solicitor-general, thought proper to retire from his frowns to Virginia, whence they sailed to England: the former concealing himself under the name of Jones, while the latter called himself Jackson. Colonel Heathcote and Doctor Bridges succeeded in their places at the council board.

“ The following summer was remarkable for the uncommon mortality which prevailed in the city of New York, and makes a grand epoch among our inhabitants, distinguished by the ‘time of the great sickness.’† On this occasion, Lord Cornbury had his residence and court at Jamaica, a pleasant village on Long Island, distant about twelve miles from the city.

“ The inhabitants of Jamaica consisted, at that time, partly of original Dutch planters, but mostly of New England emigrants, encouraged to settle there, after the surrender, by the Duke of York’s conditions for plantations, one of which was in these words: ‘that

* “ He was at the same time judge of the Vice Admiralty, and published his case in England, of which the assembly, in May, 1703, assert that it contained scandalous, malicious, notorious untruths, and unjust reflections on persons then in the administration of the province.”

† “ The fever killed almost every patient seized with it, and was brought here in a vessel from St. Thomas, in the West Indies, an island remarkable for contagious diseases.”

every township should be obliged to pay their own ministers, according to such agreements as they should make with him: the minister being elected by the major part of the householders and inhabitants of the town.' These people had erected an edifice for the worship of God, and enjoyed a handsome donation of a parsonage house and glebe, for the use of their minister. After the ministry act was passed by Colonel Fletcher, in 1693, a few episcopalians crept into the town, and viewed the presbyterian church with a jealous eye. The town vote, in virtue of which the building had been erected, contained no clause to prevent its being hereafter engrossed by any other sect. The episcopal party who knew this, formed the design of seizing the edifice for themselves, which they shortly after carried into execution, by entering the church between the morning and evening service, while the presbyterian minister and his congregation were in perfect security, unsuspecting of the zeal of their adversaries, and a fraudulent ejection on a day consecrated to rest.

"Great outrage ensued among the people, for the contention being *pro Aris et Focis*, was animating and important. The original proprietors of the house tore up their seats, and afterwards got the key and the possession of the church, which were shortly after again taken from them by force and violence. In these controversies the governour abetted the episcopal zealots, and harassed the others by numberless prosecutions, heavy fines, and long imprisonments—through fear of which many who had been active in the dispute fled out of the province. Lord Cornbury's noble descent and education should have prevented him from taking part in so ignominious a quarrel; but his lordship's sense of honour and justice was as weak and indelicate as his bigotry was rampant and uncontrollable; and hence we find him guilty of an act complicated of a number of vices, which no man could have perpetrated without violence to the very slightest remains of generosity and justice. When his excellency retired to Jamaica, one Hubbard, the presbyterian minister, lived in the best house in the town. His lordship begged the loan of it for the use of his own family, and the clergyman put himself to no small inconvenience to favour the governour's request; but in return for the generous benefaction, his lordship perfidiously delivered the parsonage-house into the hands of the episcopal party, and encouraged one Cardwel, the sheriff, a mean fellow, who afterwards put an end to his own life, to seize upon the glebe, which he surveyed into lots, and farmed for the benefit of the episcopal church. These tyrannical measures justly inflamed the indignation of the injured sufferers, and that again the more embittered his lordship against them. They resented, and he prosecuted; nor did he confine his pious rage to the people of Jamaica: he detested all who were of the same denomination: nay, averse to every

sect except his own, he insisted that neither the ministers nor schoolmasters of the Dutch, the most numerous persuasion in the province, had a right to preach or instruct without his gubernatorial license ; and some of them tamely submitted to his unauthoritative rule.*

“ The royal instructions required the governours of the plantations to give all countenance and encouragement to the exercise of the ecclesiastical jurisdiction of the Bishop of London, as far as conveniently, might be in their respective provinces, and particularly directed, ‘ That no schoolmaster be henceforward permitted to come from this kingdom, and to keep school in that our said province, without the license of the said lord bishop of London, and that no other person now there, or that shall come from other parts, shall be admitted to keep school in your province without your license first obtained.’ There is reason to think this instruction has been continued from the revolution to the present time, to the governours of all the royal provinces.

“ A general account of his lordship’s singular zeal is preserved, under the title of the Watch Tower, in a number of papers published in the New York Weekly Mercury for the year 1755.

“ While his excellency was exerting his bigotry during the summer season at Jamaica, the elections were carrying on with great heat for an assembly, which met him at that village in the fall. It consisted principally of the party which had been borne down by the earl of Bellomont and his kinsman ; and hence we find Philip French, who had lately been outlawed, was returned a representative for New York, and William Nicoll elected into the speaker’s chair.

“ Several extracts from his lordship’s speech are proper to be laid before the reader, as a specimen of his temper and designs. ‘ It was an extreme surprize to me (says his lordship) to find this province at my landing at New York, in such a convulsion as must have unavoidably occasioned its ruin if it had been suffered to go on a little longer. The many complaints that were brought to me against persons I found here in power, sufficiently proved against

* “ It had been made a question in King William’s reign, whether the keeping of schools was not by the ancient laws of England, prior to the reformation, of ecclesiastical cognizance. It was thought by some that a schoolmaster might be prosecuted in the ecclesiastical courts, for not bringing his scholars to church, according to the 79th canon in 1603. Treby, chief-justice, and Powell, justice, were of opinion, that being a layman, he was not bound by the canons.

“ In 1700, one Case was libelled for teaching school at Exeter without the bishop’s license, and though it was admitted that the canons did not bind the laity, yet it was conceived that the crown, since the reformation, had authority to vest the superintendency of schools in the ordinary, but a distinction was taken between grammar schools and schools for inferiour instruction. A prohibition issued as to the teaching of all schools except *grammar schools*.—Vol. I., P. Williams’ Rep. 29-33.”

them ; and the miserable accounts I had of the condition of our frontiers, made me think it convenient to delay my meeting you in general assembly, till I could inform myself in some measure of the condition of this province, that I might be able to offer to your consideration some few of those things which will be necessary to be done forthwith, for the defence of the country.'

" He then recommends the fortifying the port of New York and the frontiers ; adding, that he found the soldiers naked and unarmed ; after which, he proposes a militia bill, the erection of publick schools, and an examination of the provincial debts and accounts ; and not only promises to make a faithful application of the moneys to be raised, but that he would render them an account. The whole speech is sweetened with this gracious conclusion :— ' Now, gentlemen, I have no more to trouble you with, but to assure you in the name of the great queen of England, my mistress, that you may safely depend upon all the protection that good and faithful subjects can desire or expect from a sovereign whose greatest delight is the welfare of her people, under whose auspicious reign we are sure to enjoy what no nation in the world dares claim but the subjects of England : I mean the free enjoyment of the best religion in the world, the full possession of all lawful liberty, and the undisturbed enjoyment of our freeholds and properties. These are some of the many benefits which I take the inhabitants of this province to be well entitled to by the laws of England ; and I am glad of this opportunity to assure you, that as long as I have the honour to serve the queen in the government of this province, those laws shall be put in execution, according to the intent with which they were made ; that is, for the preservation and protection of the people, and not for their oppression. I heartily rejoice to see that the free choice of the people has fallen upon gentlemen whose constant fidelity to the crown and unwearied application to the good of their country is so universally known.'

" The house echoed back an address of high compliment to his lordship, declaring, ' That being deeply sensible of the misery and calamity the country lay under at his arrival, they were not sufficiently able to express the satisfaction they had both in their relief and their deliverer.'

" Well pleased with a governour who headed their party, the assembly granted to him all that he desired : £1,800 were raised for the support of one hundred and eighty men to defend the frontiers, besides £2,000 more as a present towards defraying the expenses of his voyage. The queen, by her letter of the 20th of April, in the next year, forbade any such donations for the future. It is observable that though the county of Duchess had no representatives at this assembly, yet such was the then known indigence

of that now populous and flourishing county, that but £18 were apportioned for their quota of these levies.”*

APPENDIX V.—*Vol. I., p. 298.*

ON the 9th of June, 1734, Messrs. Smith and Murray appeared as required before the assembly, to argue the subject of the establishment of a court of equity (or chancery) in this colony without the consent of the legislature. Smith advocated the popular side, and insisted that as in England, such a court could not be established contrary to the will of the people as represented in parliament, so here, the colonists having the rights of Englishmen, they must consent by their representatives to said establishment. In short, that not being represented in parliament, they were not to be bound by its decisions. Murray, on the contrary, insisted that what was law in England, was law here—or, the colonists, as Englishmen, were bound by all laws of England. He shows that a court of equity existed in 1702, William Atwood, Abraham De Peyster, and Robert Walters, being the judges, and also adduces decisions of Lewis Morris, James De Lancey, and Frederick Phillipse, judges in equity.

* Smith's History of New York, Vol. I. pp. 168-175.

APPENDIX referred to.—*Vol. I., p. 319.*

Copy of a Letter from the Hon. Cadwallader Colden to William Smith, Esq., author of the History of New York, relative to errors and misrepresentations contained therein. Original in the Library of the New York Historical Society.

“FLUSHEN, January 15th, 1759.

“To William Smith, Jun., Esq.

“SIR,—I did not see your History of New York till last week. The account you give (page 179) of the transactions between the government of New York and Captain Laughlin Campbel is in every circumstance a misrepresentation of facts. It is in the principal part absolutely false, and an egregious calumny of the persons who at that time had the administration of government in their hands.

“It is now about twenty years since that affair happened. Many of the circumstances I cannot with sufficient certainty recollect, and it is probable, that none who were not immediately concerned in that affair can at this time remember them. I shall content myself therefore with giving you a summary account of that affair, so far as, I doubt not, can be proved by living evidence.

“It is true that Captain Campbel imported a number of families from Scotland, a great part of which (I believe the greatest) had paid their own passage, and were at liberty to dispose of themselves after they arrived in America as they thought fit. The others were bound by indenture to Captain Campbel to serve him or his assigns some certain number of years, in consideration of the expense of transporting them to America, or under some other obligation to repay that expense with a profit to him.

“Soon after their arrival, Captain Campbel presented a petition to Lieutenant-governour Clark in council, setting forth in substance (so far as I can remember) that he had imported some certain number (which I have forgot) of families or persons, in order to cultivate or improve some part of the vacant lands of this province, and prayed the grant of a large tract of land (probably 30,000 acres, as you remember) to him, his heirs, and assigns, in order to settle thereon those families and persons which he had imported for its cultivation and improvement. This petition, and the import of it, became immediately the subject of common discourse in the town. Whereupon the persons who came with Captain Campbel and had paid their own passages, met together in companies in the streets,

and where they loudly exclaimed against it, saying, they had left Scotland to free themselves from the vassalage they were under to their lords there, and they would not become vassals to Laughlin Campbel in America. The governour being informed of this, ordered the persons to be called together and to be interrogated on this head. They jointly and severally to a man declared they would not become tenants to Laughlin Campbel. It being likewise doubted whether Captain Campbel was in capacity to settle a sufficient number of persons to have so large a tract cultivated pursuant to the directions in the king's instructions. He said, that as his settling on the frontiers towards Canada would be a considerable additional defence of the province, he expected that the assembly would bear the charge of supporting the families that were to settle upon it, till they could support themselves by their own labour, and that he had or would present a petition for that purpose. The assembly knowing the aversion which the people who came over with Captain Campbel had to him, for it was notorious, did not enter on the consideration of his petition; and I firmly believe that he gave in no other petition to the assembly.

“ These transactions were publick, and the subject of common discourse, yet I never heard Mr. Clark or any other person in the administration blamed at that time by any indifferent person of Captain Campbel's petition, that it was not granted.

“ This being the state of the case, I leave it to you to say whether Lieutenant-governour Clark could, consistently with the trust reposed in him, grant 30,000 acres of land to Laughlin Campbel; or whether it would not have been a lasting obstruction to the settlement of the frontiers, to grant 30,000 acres of land there, to any person who was in no capacity to settle and improve so great a tract. I likewise leave it to others who are better acquainted with Captain Campbel's character than you are, to say whether it be in the least probable that Captain Campbel would have refused a share in that grant to any person who had influence to procure it for him under colour of the pretences which he made.

“ Captain Campbel might have had 2,000 acres of land for himself on the frontiers, and the others quantities in proportion to their abilities; but they chose to settle on the inhabited parts of the country. In short, Captain Campbel had conceived hopes of erecting a lordship for himself in America. He imagined that the people whom he had enticed over with him, would have become his tenants on condition of being supported till they could maintain themselves, and an easy rent afterwards. His disappointment come from these people absolutely refusing to become his tenants on any terms, and from the assembly's being unwilling to support them at the expense of the people and the province, and not from Mr.

Clark's refusing them land, for they might have had it as before-mentioned, but none were willing.

"So far as I know, this story which you tell was not propagated till since Captain Campbel's death, at a distance of time when these transactions are forgot by people who had no concern in them; and were propagated by his family after they were reduced to distress by his misconduct, in order to move the compassion of some persons who had it in their power to advance them, and they have succeeded. As these stories were only propagated in private, it was not easy to take public notice of them; but now that you have published this calumny in Europe and America, a public redress is become necessary.

"This public defamation being an egregious injury to the public faith and honour of the government of New York, you know the proper method for redress that may be taken. But as I think that your writing of this, and publishing it, has only arisen from your credulity in some who do not deserve the confidence you placed in their veracity, and from a generous indignation at what you thought a base breach of trust in the lieutenant-governour and others, I shall at present leave it to you to propose what you think may be an adequate redress of so public an injury.

"No doubt several of the persons who came over with Captain Campbel, and were not servants, are still alive; from them you may learn the truth of the principal facts which I now affirm. Perhaps some of them may now live in the city. I have forgot all their names except one Montgomerie, brother-in-law to Captain Campbel, who lately lived at Cackeyat. I shall expect your answer without delay, and that thereby the opinion will be confirmed of your sincerity and integrity which has been hitherto entertained by

"Sir, your most humble servant,

"CADWALLADER COLDEN."

APPENDIX referred to.—Vol I., p. 369.

Account of the circumstances attending the death of Sir Danvers Osborn.

“MR. CLINTON was at Flushing, in Queens county, where he had resided the whole summer, when Sir Danvers Osborn* arrived to succeed him in command, which was on Sunday, the 7th of October, 1753. He was met at Whitehall by the council, mayor, and corporation, and chief citizens, and attended to the council chamber; and, in the absence of Mr. Clinton, took up his lodging at Mr. Murray’s, whose wife was a daughter of Governour Cosby, and a distant relation of Sir Danvers’ deceased lady, a sister to the Earl of Halifax. Mr. Clinton waited upon him the next day, and they both dined at an entertainment provided by the council. On Wednesday morning they assembled the council at the fort, for administering the oaths, and then began the usual procession for reading the commission at the town-hall. The indecent acclamations of the populace, stimulated by the partizans of the late troubles, induced the old governour to take leave of his successor at a short distance from the fort, while Sir Danvers stalked along with the council and magistrates, rather serious than cheerful, amidst the noisy shouts of a crowded throng.

“After his return to the council chamber, he received the address of the city corporation, of which he had a copy, and with difficulty restrained his intention of begging the alteration of a passage in it, which he thought expressive of jealousy. The words were: ‘We are sufficiently assured that your excellency will be as averse from countenancing, as we from brooking, any infringements of our inestimable liberties, civil and religious.’

“These particulars are mentioned with the more minuteness, on account of the tragical end to which this unfortunate gentleman was approaching.

“He told Mr. Clinton, with disapprobation of the party exultations in his progress to, and return from the town-hall, ‘that he expected the like treatment before he left the government.’

“While at a splendid dinner given to the two governours and the council by the corporation, there was every demonstration of joy. The city was illuminated, cannon were discharged, and two bonfires lighted up on the common, in the evening. Sir Danvers took no part in the general joy. He retired early in the afternoon,

* “Mr. Charles, in his letter of the 11th of June, 1753, informed the speaker that Sir Danvers was “a gentleman of great worth, a member of parliament for Bedfordshire, and brother-in-law to the Earl of Halifax.”

and continued at his lodgings, while the whole town seemed abandoned to every excess of riot. The last act of Mr. Clinton's administration was the delivery to Mr. Delancey of a commission to be lieutenant-governour. This had been done in the presence of the council, immediately after he gave the seals to Sir Danvers, and it contributed much, with the discovery now made of Mr. Clinton's letter to the lords of trade respecting the Jersey claim, to the mad transports of the populace in the streets and commons.

"Sir Danvers rose early on Thursday morning, and before the family were about, had, alone, patrolled the markets and a great part of the town. He complained of being somewhat indisposed; and at dinner, said, with a smile, to Mr. Delancey, 'I believe I shall soon leave you the government. I find myself unable to support the burden of it.' He had convened the council in the afternoon, and appeared in some perturbation at their first assembly, especially when he found that M. Pownal, who had the key of the cabinet, was not within. He was desirous to show them his instructions. He informed them, that he was strictly enjoined to insist upon the permanent indefinite support of government, and desired their opinions on the prospect of success. There was a general declaration, that the assembly could not be brought to adopt that scheme. With a distressed countenance, and in a plaintive voice, he addressed Mr. Smith, who had not yet spoke a word:—'What, sir, is your opinion?'—and when he heard a similar answer, he sighed, turned about, reclined against the window-frame, and exclaimed, 'then what am I come here for?'

"In the evening he had a physician with him, talked of ill health, was disconsolate, and retired to his chamber, and at midnight dismissed his servant. While the house was preserved the next morning in the utmost silence, upon an apprehension that he was still asleep, an account was brought that he was hanging dead against the fence at the lower end of the garden. A vein was opened, but to no purpose.

"The malevolence of party rage would not at first ascribe this event to the insanity of the deceased; but threw out insinuations, that he had been brought to his end by foul means, and that the criminals were some of those who could not suppress their joy to see Mr. Clinton a private character, and Mr. Delancey at the helm; nor did these unjust suspicions soon subside.

"The council was immediately summoned to Mr. Murray's house, where the tragedy was acted, and every circumstance inquired into, for the satisfaction both of his relations and the crown, and the vindication of the party led by the new lieutenant-governour to such lengths against Mr. Clinton, who was then preparing for his voyage.

“ On the top of the fence was a row of large nails inverted, to exclude thieves from the garden, over which he had cast a silk handkerchief tied at the opposite ends, and had elevated his neck to it by a small board, which was found near him over his hat upon the ground.

“ After his servant left him, he had consumed a vast number of private, but no publick papers, endorsed others, which he preserved; wrapped up a sum of money, borrowed since his arrival, and directed it to the lender. There was lying on the table a paper, written in his own hand, *quem deus vult perdere, prius dementat*, and the coroner’s inquest believed his testimony, for they found him a lunatick.

“ A man who, before the light of that day, passed the river in a boat under the fence, heard the noise of his heels against it in his last struggles. But Mr. Pownal’s testimony surmounted every obstacle in the minds of all persons of candour. This gentleman (since so well known in the characters of lieutenant-governour of New Jersey, assistant to the Earl of Loudoun, in the war of 1756, governour of Massachusetts Bay, commissary in Germany, and a member of the British parliament) came out as a guide and assistant to Sir Danvers Osborn, and revealed the secret, that the baronet had been melancholy ever since the loss of his lady, whom he most passionately admired, and that he had before attempted his own life with a razor; adding, that Lord Halifax, by whose interest he obtained the government, had hopes that an honourable and active station abroad might have detached him from the constant object of his anxious attention. As it may be interesting to know every thing relating to this unfortunate gentleman, and as Mr. Smith was at that time one of the council, and under no bias to the party calumniated at his death, and his diary kept with such secrecy that none of his children ever knew in his life time that he had one, for the sake of truth these passages are inserted, that the most scrupulous may be satisfied.

“ *Wednesday, 10th October, 1753*—Sir Danvers Osborn published his commission, took the usual state oaths and that relating to trade, and received the seals from the hands of Governour Clinton, who then (pursuant to an order from the Duke of Newcastle to deliver the commission of lieutenant-governour before his excellency left the government, to James Delancey, Esq.,) delivered the same in council accordingly, and Sir Danvers took the oath of governour and chancellor, or keeper of the great seal. The commission was afterwards published at the City Hall. The corporation treated the new governour and council at Burns’s; and the whole was conducted, and the day and evening spent, with excessive shoutings, two bonfires, illuminations, ringing of the

church bells in the city, drunkenness, and other excessive demonstrations of joy.

“ *Thursday, 11th October.*—Sir Danvers appeared very uneasy in council.

“ *Friday, 12th October*—Alarmed by the door-keeper of the council, about eight o'clock, desiring me to come to Mr. Murray's, saying, ‘*the governour had hanged himself.*’ Went and found it awfully true. He had been found in Mr. Murray's garden hanging in his handkerchief, fastened to the nails at the top of the fence. On the first discovery, his body was found quite cold, and upon two incisions no blood issued. He was brought into the house and laid on the bedstead, where I saw him, a woeful spectacle of human frailty and of the wretchedness of man, when left to himself. The council went from Mr. Murray's to the fort, where Chief Justice Delancey published his commission, and took the oaths in our presence, and received the commission of Sir Danvers and seals and instructions, by order of council, from Thomas Pownal, Esq. ; but took not the oath of chancellor, lest it might supersede his commission of chief justice, till this point be considered. His commission, after it was read in council, was published only before the fort gate, without any parade or show, because of the melancholy event of this day.

“ The character of Sir Danvers Osborn, baronet of Chichsands, in the county of Bedford, as far as I could observe, having been every day since his arrival with him, was this :—he was a man of good sense, great modesty, and of a genteel and courteous behaviour. He appeared very cautious in the wording of the oaths, particularly for observing the laws of trade enjoined by the statute of 7th and 8th William III. He appeared a very conscientious man to all the council in that particular. A point of honour and duty, in a *forescen* difficulty to reconcile his conduct with his majesty's instructions, very probably gave his heart a fatal stab, and produced that terrible disorder in his mind which occasioned his laying violent hands on himself.

“ He was found between seven and eight in the morning, hanging about eighteen inches from the ground, and had been probably some hours dead. His secretary told me, this morning, he had often said to him, he *wished he was governour in his stead.* He or somebody else desired me to observe the ashes in the chimney of his bed-room, as being necessary to be observed to excuse *his* producing of any papers that might be expected to be produced by him, and he showed me two pocket-books in which there was nothing remaining. He said, that when the copy of the episcopal church address was shown yesterday, he observed to Sir Danvers, that he would have an opportunity here, by going to church, to act according to his own mind, and that he (the secretary) with the

gentlemen should wait on him. To which (says Mr. Pownal) he gave me this shocking answer, ‘*you may, but I shall go to my grave.*’

“A committee of Mr. Alexander, Mr. Chambers, and the mayor, are appointed to take depositions concerning the facts and circumstances attending his death. The jury have found Sir Danvers (as is said) *non compos mentis*. Mr. Barclay* was sent for into council to desire him to read the burial service. He objected, as the letter of the rubric forbids the reading it over any that lay violent hands on themselves. Agreed in council, that the meaning ought to be regarded more than the words. I said, *qui hæret in litera, hæret in cortice*, and if the jury on inquest found Sir Danvers *non compos*, his corpse had as much right to christian burial as the corpse of a man who had died in a high fever. This seemed to satisfy Mr. Barclay, coming from me, seeming worth more of his regard, than if it had come from another.† He said he had not any scruples of conscience, but he desired to avoid censure, as we have people of different opinions amongst us.

“*Sabbath, 14th October, 1753.*—Last evening attended the funeral of Sir Danvers Osborn, as a bearer, with five others of the council, and Mr. Justice Horsmanden, and Mr. Attorney-General; and this day, in the old English church, heard a sermon from Hebr. 10th chap. 24th verse—‘*And let us consider one another, to provoke unto love and to good works.*’”‡

* “This gentleman, who served as a missionary to the Mohawks, was. on the death of Mr. Vesey, in 1746, called to be rector of Trinity church in the metropolis. His arrears of twenty pounds were provided for in the support bill of that year, and there has been no provincial allowance since that time towards the propagation of christianity among the Indians.”

† “Mr. Smith was a member of the presbyterian congregation in communion with the church of Scotland.”

‡ Smith’s History of New York, Vol. II, p. 182-190.

APPENDIX W.—*Vol. I., p. 389.*

1758 THE following memoranda taken from the periodicals of this year, will throw some light upon the spirit of that stirring period :

March 23d.—The legislature resolved to raise 2,680 effective men; £10 offered as bounty for each able bodied man, and 20s to the officer enlisting him.

Killing and scalping at the German Flats by the French and Indians.

A “battle between the *famous* Rogers, and the enemy.” He left Fort Edward with a party of rangers on a scout, March 10th, and encamped for the night on the road to Lake George. He marched with every precaution towards the enemy; and on the 13th, he came upon and beat their advance guard, but soon found himself overmatched. The account is signed “Robert Rogers,” and the major makes the best of his story; but the amount is, he was beaten with considerable loss. 22d, the President of Princeton College, Jonathan Edwards, died.

The assembly of New Jersey resolve that the regiment of the colony be recruited to 1,000 men. Pay of the colonel, £20 2s. per month; lieutenant-colonel, £18; major, £15; each captain, £10; each lieutenant, £7 10s 9d; each ensign, £6 14s. Sergeants, corporals, and drummers, £2 10s 3d; privates, £1 13. A chaplain, £10, a surgeon £15, surgeon’s mate £9. Massachusetts resolved to raise 7,000 men.

April 17th.—Lieutenant-governour Delancey, by proclamation gives notice that persons “employed on board of vessels laden with provisions for Halifax, will be free from all impress.” [Did not he know of the statute of Anne?] He further declares that any person concealing any seaman or deserter belonging to king’s ships or transports shall be prosecuted. Another proclamation encourages those who come forward to enlist to bring their own guns, as they may be more used to them, and they may be lighter. [From this, we see that uniformity was not contemplated.] They are encouraged to bring powder-horns and shot-bags likewise. The Indians kill and scalp between Saratoga and Fort Edward.

May 1st.—Transports and ships of war fall down to the Hook, and Lord Loudon having embarked on board a ship of war lying in the North River, was saluted in his going off, by a discharge of the cannon on *Flat Rock Battery*.

On the 23d of April, Sunday, about two o'clock in the morning, Captain Jasper Farmer, of the militia train, with a number of his company went on board the *Snow Charming Jenny*, Captain Scott, then lying along the new dock, in order to impress men for the transport service. Farmer, having impressed several, four of the crew more obstinate than the rest, retired into the round house and there armed themselves with blunderbusses, and although Captain Farmer and a magistrate then standing on the deck desired them in an amicable manner to surrender, promising they should not go on board the men-of-war, but serve on board the transports, yet they obstinately refused, and fired their blunderbusses through the loopholes, and wounded Captain Farmer in the neck, of which wound he languished till ten o'clock of the evening of the same day, when he died. The fellows did not surrender till an officer with a party of regulars came down and fired a volley into the round house, which not damaging any of them, they were seized and are all in custody. The coroner's inquest having sat two days, brought in their verdict *murder in four persons belonging to the Snow*. The same morning also, about five o'clock, as another part of the militia were looking for sailors in the outskirts of the city, they fell upon a house wherein nine Dutchmen were lodged, (they lately being brought in by some of the privateers) who at first would not surrender, whereupon an officer with a party came to the house and ordered his men to fire, although two of the Dutchmen in the garret would have surrendered and come down, the other seven having secreted themselves; the party accordingly fired, and instantly killed one *Hans Jansen Ramsburgh*, the ball entering just under his chin and going through the upper part of his head, the soldiers having fired up a kind of stair-case, or rather trap-door. His comrade was wounded, and remains dangerously ill ever since. The coroner's inquest having sat two days, brought in their verdict, *murder in the officer*, and divers other persons to the jurors unknown.

[This, it will be observed, was in the city of New York, on a Sunday—the militia under arms impressing men—the regulars assisting. All this, and the proclamation of Governour Delancey above, was in direct violation of the statute of Queen Anne.]

May 8th.—The New York troops embarked on Saturday, for Albany, as did General Abercrombie and his officers. Sir William Johnson with 200 Mohawks had gone to Onondaga.

May 14th.—Rogers and his scouts are announced as taking four men on the east side of Lake Champlain, who were tilling and sowing when taken; and Captain Jacobs with seventeen Stockbridge Indians, fired upon a party of men who were landing opposite Ticonderoga, seven of whom Jacobs killed and scalped.

May 15th.—By advertisement, the quarter-master general offers

10s a day for waggons, and horses, for the service of the army, and 10s for every twenty-five miles, in coming to or going from Albany.

A writer in the *American Magazine* for April says, "the encroaching French, have extended their new usurped title" from the Lakes to the mouth of the Mississippi, and built a "capital city named New Orleans." Thus by seizing the Mississippi the French are joining their Canada to what they call Louisiana; "thereby to surround all the English colonies, and (if their aspiring attempt be not prevented) to murder the inhabitants or drive them into the sea: or what is a thousand times worse, to enslave them to French tyranny and Popish superstition."

"The province ship of war *King George*" returns to Boston from a cruise. We read also of the *Pennsylvania* frigate going from the Delaware on a cruise.

"The New Jersey forces, of between eleven and twelve hundred of the likeliest well-set men for the purpose, as has perhaps turned out on any campaign, passed by this place for Albany. They were under Colonel Johnson, their uniform blue faced with red, grey stockings and buckskin breeches."

May 18th.—Lieutenant-governour Delancey presented to the mayor a letter stating that General Abercrombie represented to him the difficulty in supplying the provincial troops with arms—those ordered by the crown not having arrived, he therefore requests the loan of the 1,000 stand belonging to the common council for the New York regiment under Colonel Delancey. To this the common council answer, that as those arms were bought for the defence of the city in case of invasion, they regret that they cannot comply with the request, having no power so to do.

May 19th.—Francis Bernard, Governour of New Jersey, arrived at the Hook, and Colonel Peter Schuyler happening to be there with his sloop, took the governour and family to Perth Amboy.*

The Lieutenant-governour personally applies to the common council for the city arms, and produces Abercrombie's letter, promising to replace them, and hinting that he would rather borrow them than "impress" them. The common council therefore offer (as there is no certainty of the city wanting them) to sell them, for cash, at the rate of £3 5s for each musket, including cartridge-box, cartridges, and bayonet.

May 29th.—Information is given of murders of men women and children on the frontiers of New Jersey, at Minisink and other places.

At the German Flats the same scenes of murder are taking place.

* Schuyler lived at the Pasaick and had copper mines there.

The details are too similar to be given. In one instance, the successful resistance of some waggoners deserves notice. A large party of Indians attacked a house in which six waggoners lodged up stairs. The Indians rushed into the house, murdered and scalped the family who were below; they then attempted the stairs, but the waggoners knocked the foremost down. The Indians fired up the loft without effect, and the defenders kept off the assailants (killing one) until a party of rangers arrived and relieved them. The rangers took possession of an adjoining log fence, from whence they fired; and killing several of the Indians, the others fled. At this time, thirty-three of the inhabitants of the Flats were killed and many who escaped with life were shockingly mutilated.

June 15th.—Ordered, to purchase 500 of the *subscription arms* lately imported into this city; and to pay for the same out of the money arising from the sale of the arms to Gen. Abercrombie, and the remainder to be sent to England to purchase one large fire-engine, one small do., two hand do., with some buckets and fifty small arms. Paid for billeting officers: for captains, 10s per week; for lieutenants, ensigns, or surgeons, 6s. Major Rutherford's account for his billet, not allowed.

July 3d.—Sir William Johnson and "his Indians" are on the way to Canada. The French send to demand "the brave Old Peter Schuyler of New Jersey, as no person had been exchanged for him, and he prepares to return to Canada."

It is stated that Lord Howe had advanced to Lake George with 3000 men. His spirit and military accomplishments are praised. His soldiers are trained to bush fighting, and their coats and their hair are cut short; his lordship, as an example, sacrificing a fine head of hair and submitting to all fatigues and privations. He allows his officers no supernumerary baggage.

Fort Frontignac is a regular square, built of stone and lime—the wall ten feet high—one hundred pieces of cannon (not all mounted)—the provisions and stores which could not be removed were burned, as well as several vessels, and Colonel Bradstreet demolished the fort.

September 11th.—One of the fruits of the attack upon Ticonderoga by Abercrombie, is the advertisement stating, "a great quantity of old linen wanted for the wounded now in his majesty's hospitals at Albany and Fort Edward." Ladies are requested to forward such as they can dispense with.

September 18th.—When Colonel Bradstreet destroyed Fort Frontignac or Cadaraqui, he carried off two sloops taken from the enemy loaded with plunder, besides loading his own whaleboats and batteaux. He proceeded to Oswego and divided the plunder. The laced coats were reserved for the Indians accompanying the expedition.

The Legislature of New Jersey reward John Van Tile, a sergeant in the colony's pay, for his bravery and conduct in an attack on the Indians, and give thirty dollars to a lad of seventeen, his name *Titfort*, for having shot an Indian and thereby rescued himself from captivity.

September 25th.—Captain Isaac Sears arrives in the privateer sloop *Catharine*, and brings with him a prize French ship, laden with provisions and dry goods, that was bound for Quebec. She mounted ten carriage guns and carried forty-four men. The *Catharine* had one man killed and three wounded in the engagement, before the French Letter of Marque struck.

December 23d.—In a communication addressed to the Printer, Dr. George Muirson gives notice to the public of the benefit derived from *Mercurials* and *Antimony* in the small-pox—that disease still continuing in the city of New York. He says, “in the year thirty-one the small-pox proved very mortal in the city and many parts of the province of New York: I began the method with myself, have continued and pursued it ever since with remarkable success; that of many hundreds that I have inoculated, prepared the above way, not one died, not even the least accident happened.” He recommends bleeding, “in the eruptive fever,” and gives his reasons—he recommends keeping the body open by clysters of new milk and sugar, and says it is the method taught by “the immortal Boerhaave,” to whom he says, he is indebted for his knowledge “of this so fatal a distemper to the people of this country, (otherwise than by inoculation.)”

Oliver De Lancey, John Cruger, Philip Livingston and Leonard Lispenard, offer themselves as candidates by advertisement, for the assembly.

TREATY OF PEACE OF 1763—INDIAN HOSTILITIES AFTER THE PEACE.

1763 DURING the negotiations for peace, it was urged in the English parliament to restore Canada to the French, for the purpose of preventing the growth of the colonies.* The discontents in the colonies, occasioned by the English taxes on commerce, and the insolence of her custom-house officers, and officers generally, made many men on both sides of the Atlantick think of the independence of America.

By the peace of 1763, it was stipulated that the line between the territories of England and France in America, should be drawn through the centre of the Mississippi, from its source to the river of Iberville, and through the middle of that river and the Lakes Maurepas and Pontchartrain to the sea. By this was added to Great Britain, the river and port of Mobile, and all French possessions on the left side of the Mississippi, except the town of New Orleans, and island on which it stands. Great Britain on her part, restored islands in the West Indies. To Spain was added the British conquests in the West Indies, made from her, and in return she gave Florida, Fort St. Augustine, the Bay of Pensacola, and all the Spanish possessions to the east or to the south-east of the river Mississippi.

Notwithstanding the cessation of hostilities between England, France, and Spain, peace was not restored to America. The Indians generally, sensible of the encroachments of the whites, and impressed with the idea, that the English intended their utter extermination, formed an extensive combination, for what they considered self defence, and the tribes on the Ohio, with those about Detroit, and one tribe of Iroquois, (the Senecas) prepared for a simultaneous attack upon the English frontiers.

The influence of Sir William Johnson, kept the remainder of the Six Nations quiet, or apparently so. At the appointed time, the frontiers of Virginia, Maryland and Pennsylvania, were attacked. Great numbers of settlers were massacred with all the barbarity attendant upon savage warfare. The inhabitants fled, and flourishing villages were abandoned to spoil and conflagration. The traders were particularly marked as victims to ferocity and revenge.

* See Walsh's U. S. & G. B., p. 134. Russel's Modern Europe, part 2d, letter 35.

The Indians thirsting for rum, and never abstaining from it, (except, as in the recent case of the Onondagas, when influenced by the prohibitory decree of their prophet,) yet despise, and hate the traders, who, for their selfish purposes, present the poisoned draught to their lips. All such were sacrificed without sparing; and their merchandize, but added fuel to the flame of deadly vengeance, only to be satiated with blood.

The fortresses of Le Bœuf, Venango, and Presque Isle, were captured in succession by the Indians; who made use, of what among civilized christians, is mildly called statagem, *ruse de guerre*, or diplomatick skill, to accomplish their purposes; but in their case was branded with the terms “perfidy, want of faith,” or any other appellation that might convey disapprobation. The difference between *meum* and *tuum* is always immense.

In several instances, the allied Indians, when they invested one fort, assured the garrison that they had already taken all the others, and set forth the advantages of surrender, contrasted with the punishment they would inflict upon resistance. Thus fell the posts above enumerated and the more important fort of Michilimackinack. Still the forts of Detroit, Niagara, and Pitt, the most important in that chain, once intended by the French to bind the English colonies, and now viewed by the Indians as the badges of their subjection, remained in the hands of the whites. The first, commanded the region between Lakes Huron and Erie: Niagara had the same effect between Erie and Ontario; and Fort Pitt overawed the tribes of Ohio. Against these, distant as they were from each other, the allied tribes, made simultaneous movements, and Forts Pitt and Detroit, were invested at the same time. Address, courage, and perseverance, were displayed by the race of Red-men at this period, which entitle them to the admiration of all who applaud the exertions of those who fight for their country, and their liberty.

General Amherst, took measures to preserve these posts, so recently obtained from the French. To Detroit he sent a detachment under Captain Dalzel, who, after performing the service for which he was intended, marched out of the fort to inflict punishment upon the beleaguers, but fell into a well-concerted ambuscade, with the loss of his life, and upwards of 100 men, killed and wounded.

The garrison was however strengthened, and remaining on the defensive, the enemy gave up the siege and retired.

At Fort Pitt, in the meantime, the efforts of the besiegers were incessant, and made with wonderful ingenuity, as well as courage and perseverance. They cut off all communication between the fort and the country. They advanced close to the place, covering themselves from the fire of the besieged by digging holes in the

earth, from which they poured their shot and arrows, tipped with fire, upon the scanty garrison. To the relief of Captain Ecuyer, who commanded, General Amherst sent Colonel Bouquet, who advanced to the utmost limits of civilization, utterly without information of the state of friends or enemy at the place of contest. He left the most cumbrous part of his convoy, and cautiously proceeded toward the defile at Turtle Creek. The Indians had intelligence of his approach, and determined to anticipate him. Secretly leaving the vicinity of the fort, they advanced, and surrounding Bouquet's troops, awaited their preparation for dinner, on the 5th of August, and when the soldiers were busied in their culinary arrangements, a destructive fire was opened upon them from the trees and bushes adjoining. Order was restored by the effect of military discipline, and the troops charged and drove their foes from their cover: but the moment pursuit ceased, the attack re-commenced. Through the whole day, this contest between trained European soldiers, and an increasing force of enemies, without order, but systematically retreating or pressing forward, as directed by individual impulse, guided by one common desire for victory, was continued. The English retreated to their convoy, and night suspended in some measure, the toils and dangers of the day. At the dawn of the next morning, the natives of the soil presented themselves simultaneously on every side, raising the war-whoop, as a signal of battle. The enfeebled English, had to resume the conflict under more discouraging circumstances, suffering under thirst from the heat, and a want of water, for the place of their encampment, not being deliberately chosen, was void of this vital necessary. Their waggons and baggage formed a rampart, and they repulsed every attack of their enemy: but there they were confined—they must defend the convoy, and their numerous wounded men. Bouquet, at length, adopted a *ruse*, which gained him victory and safety. By a pretended flight and abandonment of the convoy, he induced the Indians to rush on to the supposed prey, and expose themselves to the fire of the troops, advantageously posted for their destruction. The slaughter was great. The chief and most of the Indians fell, and the rest disheartened at being beaten in their own mode of warfare, fled routed and gave up the contest. Although some slight skirmishing occurred on the after march of the suffering, though victorious troops, this action of the 6th of August, saved Fort Pitt, and seems to have discouraged the hostile tribes from any other effective efforts in this quarter.

But against Niagara, they now concentrated their force, without approaching the fort, but surrounded it at a distance and watched every opportunity to destroy those, who ventured beyond safe distance, or any convoy that might approach.

On the 14th of September, when a detachment with stores, had nearly reached the fort, they were attacked, seventy men instantly slain, and the convoy carried off. The three principal forts were, however, so well reinforced and supplied, that they were put out of danger: but still the desultory, and destructive succession of attacks on the frontiers, continued through the year.

REVIEW OF VANDERDONCK'S ACCOUNT OF NEW NETHERLANDS.

ADRIAN VANDERDONCK, L.L.D., published in Amsterdam his book on the New Netherlands, written when he was in the country; and it was by the government of Holland *authorized* to be printed and sold for his sole emolument, (for 15 years) in the year 1653.

The author gives the boundaries of New Netherlands as beginning north of the equinoctial line 38 degrees and 53 minutes, extending north-easterly along the sea-coast to the 42d degree. He resided in New Netherlands nine years; from which we gather that he went thither as early, at least, as the year 1644. He tells us that the Indians about New Amsterdam said there were many medicinal springs in the interior, some of which answer to our famous Ballston and Saratoga waters.

In the time of the good Doctor, the Dutch women had duly appreciated the value of *nut wood* or hickory, both for fire on their hearths and coals for their foot-stoves, "because they last longer than others, and are not buried in ashes."

The *bush-burning*, or periodical clearing of the land by fire, is mentioned by Vanderdonck as practised by the Indians of New Netherlands for facilitating the chase. He speaks likewise of the conflagrations of pine forests, in consequence of this practice. Vineyards were already cultivated by the Dutch, and he says, "they have introduced foreign stocks, and they have induced men to come over from Heidelberg, who are vine-dressers, that the defects in managing their vines may be remedied." Vanderdonck speaks of this practice as very popular. The Netherlands, ever fond of flowers, introduced from Holland a variety of roses, and carried many of our native flowering plants and trees to Europe.

Dr. Vanderdonck tells us that at the time in which he wrote, there had already been formed in the New Netherlands a botanick garden, where a great variety of the wild plants of the country had

been collected by the proprietor, a surgeon, whose name he does not give ; but this surgeon had removed, and already the garden was in a state of decay. He mentions agricultural experiments made with wild indigo seed by Gulian Van Rensselaer, in the *Colonic* of Rensselaerwyck, and likewise by Augustus Heerman, near New Amsterdam. He says, "Mr. Minuits writes that he has sown Canary seed, and that it grew and yielded well," but recommends the cultivation of provisions, for which the country is so well adapted that already the New Netherlands exported to the West Indies. In speaking of the agriculture of New Netherlands, he mentions his having resided there nine years, from which we may conclude that (as his book was authorized and ready for publication in Holland in 1653) he went to America in 1644 or before. During nine years' residence, he had "never seen land manured," such was its strength. It appears that Indian corn, or maize, was cultivated then as now, and planted six grains to the hill, on ground from which the woods had been newly removed. When the maize was gathered, and the hills levelled, they then sowed winter grain.

The Reverend Johannes Megapolensis, minister of the *Colonic* of *Rensselaerwyck*, is mentioned by Vanderdonck as a man of truth and learning, and his letters respecting the country are quoted. Barley, as well as maize, wheat, and rye, were successfully raised ; and tobacco only inferiour to that of Virginia. Flax and hemp grow well, but are not in demand, as the women do not spin much flax, and the Indians use the wild hemp of the forests.

General Jeremiah Johnson, the translator of Vanderdonck, himself an experienced agriculturalist, gives full credit to the author's representation of the strength of the land at the time, which is said to produce twelve crops of wheat in twelve successive years ; seven crops of wheat have been gathered in Yates County in seven successive years.

The wild animals, which Vanderdonck enumerates are *lions!* panthers, (or catamounts or wild cats) wolves, bears, deer, rackoons, foxes, squirrels, rabbits, beavers, skunks, minks, and muskrats ; many of them were pests to the agriculturalist, and some were valued for their skin or flesh—others as subjects for the sportsman's amusement. He says the flesh of the rackoon is delicious, and describes the mode of taking them in his time. He tells us that they "usually shelter in hollow trees, wherein they lay up food for the winter, and which they seldom leave during that season except for drink. It is a pleasure," he says, "to take rackoons ; the trees wherein they shelter, are discovered by the scratching of the bark, which is done by the rackoons in climbing up and descending. When their haunts are discovered, the trees are cut down, and by the fall of the tree the rackoon is stunned ; he reels from his invaded domicile and falls an easy prey to the hunter."

Of the birds I shall say nothing. Our authors have been liberal, and on that, as well as other zoological subjects, given us ample information. What I have said, is rather to give a view of the times, than of the animals of our country. The mistaken surmises of the learned Doctor likewise mark the period in which he observed and wrote ; as his supposition that quails are accustomed (for such is his inference though not his assertion) to alight and sit in trees. The bird we of New York call *quail*, and our neighbours of Pennsylvania more justly *partridge*, never does so except when demented by terroure : in excessive fright, they betake themselves to a tree, or even dash themselves against a house or barn. Of the humming-bird he says, " There is also another small curious bird, concerning which there are disputations whether it is a bird or a large West India bee." After a tolerably accurate description, he adds, " I have not observed that it pecks and eats with its beak, but sucks its nourishment from flowers, like the bees, for which it has members in its beak like the bees. It is every where seen on the flowers regaling itself ; hence it has obtained the name of the West India bee. In flying they also make a humming noise like the bee. They are very tender, and cannot well be kept alive ; we however prepare and preserve them between paper, and dry them in the sun and send them as presents to our friends." Of fish, reptiles, insects, and plants, I omit his account, as obsolete.

Vanderdonck, speaking of the climate, says, " below the Highlands, towards the sea-coast, the winter does not set in or freeze much before Christmas ; above the Highlands, the weather is colder, etc." General Woolsey, at Cumberland Head, Lake Champlain, told me that he did not look for the freezing of the lake or the commencement of hard weather, until about Christmas. I write this at New York, January 6th, 1838, and the temperature is that of May. We had frost and a little snow in December ; and in the year 1835, the middle of December was severely cold—thermometer from 4 to 6.

Of the Indian hunting season, Vanderdonck says it is about Christmas : the deer are then " at their best ; they are easily obtained, as the woods are burnt over and the brush-wood and herbage out of the way."

The Indians say, that " before the arrival of the Christians, and before the small pox broke out, they were ten times as numerous as they now are." And though deer were killed in proportion to the numbers of the natives, no diminution was observable. He says, " At Rensselaerwyck, in the year 1645, the North River closed on the 25th of November, and remained frozen very late. Below the circle of the Highlands," he says, " the south wind prevents the continued severity of winter ; the river freezes and is

broken up two or three times ; the snow cannot lie long ;” and in short, he describes the climate as we now find it.

Vanderdonck leaves a memorial of the natives as they were in his time, foreseeing, as he says, that as the *Christians* multiply, the Indians will “ disappear and melt away.” He says, the men and women are well proportioned, and “ equal in height to the Netherlanders. Their limbs are formed for activity ; they can run very fast and for a long time ; they can carry heavy packs, but to all bodily labour the men have a particular aversion. During his long residence he saw but one who was deformed. If a cripple or lame person is seen, it is found to have proceeded from accident or war.” He does not think that they have “ abundant wisdom from nature ; but there are no lunatics or fools amongst them. Both men and women have broad shoulders and slender waists ; their hair (before old age) is jet black, sleek and uncurled, and nearly as coarse as a horse’s tail.” Their practice of eradicating the beard and hair on the body he mentions. Their dark eyes and white teeth are not forgotten, and “ purblind or cross-eyed persons are rare objects.” He never heard of an Indian born blind, but “ saw one who had lost his sight by the small-pox.” He describes their colour as yellow, bordering on olive, which he attributes to exposure for successive generations ; “ their women are well favoured and fascinating, though with various features—seldom very handsome, and rarely unhandsome.” Some of the Netherlanders had chosen companions from among them, and their attachment continued firm. The Dutch called the natives savages or *wild men* : the male is in the Dutch language *wilt*, and the female *wilden*—the *i* pronounced long in both.

We know that at present the wild tribes are at times without food for many days ; and when the chase gives them plenty, they gorge themselves in a manner that appears to us monstrous. But when the Dutch first had intercourse with the savages of New Netherland, food was uniformly abundant, and the Indians ate uniformly and in moderation. Fish and the flesh of wild animals they boiled, generally, and ate without salt or accompaniments, except when they had beans ; and their maize (or bread from it) appears to have been eaten separately. Both flesh and maize were occasionally broiled or roasted. The women pounded the maize when ripe and hard into meal or *samp*. Of the meal he says they make “ pap, which in the New Netherlands is named *sapaen* : we seldom go into an Indian lodge at any time of the day without seeing the *sapaen* preparing, or the inmates eating it. Their dried fish and meat they sometimes pound and mix with the *sapaen* : this is usually done towards spring, when their stock of provision is low. They have no stated time for eating ; hunger is the prompter.”

Though Vanderdonck testifies to the general abstemious or moderate eating of the natives, he observes that they can go for days without food, and make up for the fast by plentiful indulgence when in their power, "but without overcharging their stomachs or becoming sick; and although they eat freely, they have no excessive eaters or gluttons among them. Every one is at liberty to partake of their food and hospitality, but they do not invite others to eat; all is without ceremony, and it is not customary with them to receive compensation. On extraordinary occasions when they wish to entertain any person, they prepare beaver's tails, bass heads, with parched corn meal, or very fat meat stewed with shelled chestnuts bruised." Their provision for a long journey or a war expedition, is a small bag of corn meal, a handful of which with a drink of water, suffices for a day. When they obtain in addition fish or meat, the corn meal serves for bread, or is saved.

He observes of clothing, that the males until twelve or thirteen run nearly naked in summer, the girls somewhat covered. Men in summer wear a piece of duffles, if they can purchase it, half an ell wide and nine quarters long, which they gird around their waists, and draw up a fold to cover their nakedness, with a flap of each end hanging down in front and rear. This is called the breech-cloth. Before they knew Europeans, they wore a skin for the purpose. The women wear a cloth suspended from a girdle and hanging below their knees, and under it a deer-skin coat girt around the waist, ornamented with great art, and tastefully decorated with wampum worth one hundred or three hundred guilders. Both sexes wear occasionally a plaid of duffles cloth, full breadth, three ells long, worn over the right shoulder, drawn in the form of a knot round the body with the ends extending below the knees; this serves as a covering by day and blanket by night. The leggins and mockasins, with or without wampum, complete the dress: these are of deer or buffalo skin. Even the husks of corn or maize sometimes are formed into mockasins. "The men usually go bare-headed; the women with their hair bound behind in a club of about a hand long, in the form of a beaver's tail, over which they draw a square cap, which is frequently ornamented with wampum." As a particular decoration, they wear a band bound around the head, enriched with wampum; this confines the hair, keeping it smooth, and is tied in a knot to fall over the club or braid behind. These bands have been likened to the head dresses of the Grecian women of old: round their necks they wear strings of wampum, or other ornamental necklaces, and bracelets of wampum adorn their arms. "Their persons appear about half covered with an elegantly wrought dress; they wear beautiful girdles ornamented with their favourite wampum;" (the Doctor of Laws is evidently describing the *belles* of

the forest)—“and costly ornaments in their ears.” He says in addition to all this, when particularly desirous to please, they paint their faces “with a few black stripes,” as we may presume the beauties among us formerly put black patches on their cheeks and foreheads, to give by contrast greater brilliancy to their complexions. The Doctor says that these Indian beauties “usually appear sedate,” but he says this is merely to disguise what he gives us to understand is a very opposite disposition.

“The men uniformly paint themselves, particularly their faces, with various colours.” We see by this description of the Indians of Manhattoes in 1660, that they resembled in dress and manners, those who are yet free and live in abundance, where game abounds; except in that ferocity and warlike equipment, which the latter have borrowed from European neighbours or visitors. In their friendly disposition, they resemble the kind, hospitable, and amiable people, beyond the Rocky Mountains, as described by Mr. Irving, in the words of Captain Bonneville: those people who were murdered for sport, by the civilized hunters and trappers, sent by *Christain* traders into their country, to destroy the game on which they subsist.*

Vanderdonck describes the men of the country, as disguising both their faces by painting, and their emotions by an assumed indifference: “they scarcely turn their heads to notice an object.” This was not so when Verazzanno first had intercourse with them, or even when Hudson explored our bay and great river. Describing their dress, the Doctor says, “Some of them wear a band about their heads;” this he describes, as manufactured from the hair of deer, stained of scarlet colour, and interwoven with soft shining hair of another tint of red, and says, that this brilliant crown, is like the rays of glory, with which painters represent saints and apostles for the Romish Churches. When thus arrayed, a young Indian is too stately to speak to ordinary persons, or on a vulgar subject. But this is only a gala or a courting dress. In general, he says, they are filthy and negligent in their appearance. In winter, the women and children do not go abroad much: when they do, they are covered “with duffles and other articles.” The men grease themselves with bear and racoon fat, and wrap themselves in the skins of the wild animals; and thus easily withstand the cold. The Doctor, sums up his chapter of the dress of the wild men, by saying, that when dressed they are very great fops: and that now, “many of them begin to wear shirts, which they buy from our people,” and this article of finery, is worn without washing, as long as it will hang together.

* See Irving's *Bonneville*.

The Indian houses (wigwams or weekwams) of this period, were built, by placing two rows of slender saplins, with the bark peeled off, opposite each other, at about twenty feet distance, to any length they desire : the tops of these poles are bent and joined, so as to form an arch. Split saplins like lath, are then interwoven with the first, leaving an aperture above. This frame work, is covered with oak and chestnut, or other bark, in pieces as broad as they can procure it, laying the smooth side inwards, and preserving the opening above to let out the smoke. The bark is lapped over to anticipate its shrinking, and secured by withes to the frame-work. Thus the building is tolerably proof against wind and rain. One door in the centre serves for every house, and the interior is in common. Be the house ever so long, the fires are made in the centre that the smoke may issue at the hole above, and thus several families live in one wigwam, each having its own place, and all sleeping by the side of the fires by night, or assembled about the kettle by day. A hundred or more live in one building, and such is the picture of Indian life, except when out on fishing or hunting excursions, when they erect slighter wigwams, or live in the open air.

The Doctor describes their castles, or palisadoed strong-holds, as placed on the side of a steep and high hill, near a river, and difficult of access, except from the water. The hill so chosen, has on its summit a level plain, which they enclose with a strong stockade, made thus : First they lay along, on the ground, large logs of wood, piling others on them ; on each side of this foundation, they drive in the ground strong oak palisades, the upper ends of which, cross each other, and are joined together : in the upper cross of the palisades, they then place the bodies of trees, which make the work strong and firm. These they consider secure, but he remarks, "*in a war with Christians*, those afford them no security ; on the contrary, they do them more injury than good." He says, within their castles, they have twenty or thirty houses, some of which he measured, and found one hundred and eighty yards long, and only twenty feet wide. In such a place great numbers are crowded together. Besides their strong-holds, they have villages and towns which are enclosed, those usually have woodland on one side, and cornland on the other sides. Villages are likewise frequent at the fishing places, where they cultivate a few vegetables, and leave the place on the approach of winter. Then the woods afford shelter and venison, and in the spring they come in multitudes to the sea shore and bays, to take oysters, clams, and every kind of shell fish, which they know how to dry and preserve good, a long time.

I am particular in noting and transcribing from Vanderdonck, as a writer of observation, and of the early times : he is evidently a man of veracity, and when he speaks from another's information, he

tells us so. I shall continue to follow him. He speaks of polygamy as confined to the chiefs, who had in his time, some three or four wives, and expresses his astonishment at the harmony existing among them; all esteeming and obeying their husbands. He admires the simplicity of their marriage ceremony, and the choice which is usually made according to fitness and condition, sometimes with, often without, the advice of relatives. The men, according to their condition, must always present to the betrothed some gift, as a pledge of his affection or token of their agreement. It appears, however, that marriages were dissolved with very little ceremony, sometimes by mutual agreement, and often by the caprice of the man: the woman being "turned out of doors."

The Doctor testifies, that the dissolution of marriages was generally to be imputed to the fault of the husband, but he does not give us an exalted notion of the chastity of their partners. The absence of danger and disease at the period of gestation, has always been remarked as a privilege enjoyed by the *Wilden*, and although Vanderdonck gives several theories to account for it, we continue to think it a blessing that attends uncontrolled natural shape, unconfined bodies, and limbs accustomed to exercise. The male child is immersed on its birth in the coldest water, even in winter, and then treated with care, and in the manner well known to us: every mother giving nature's nourishment to her child, with a holy attention to its welfare. There are civilized people, whose females are not so scrupulous. Many of the customs appertaining to women, are similar to those prescribed to the Jews. Most of the customs among the Indians, are such as are still found, where they are uncontaminated.

Of the manner of burying the dead, the Doctor speaks at length, and makes the ceremony attendant on burials more universal and more attended to by relatives, than those writers who describe the customs of this people at a later day. The attention to the corpse of course varies according to station and character in life. He says, the nearest relatives, "extend the limbs and close the eyes" of the dead. After several days of watching and weeping, the corpse is deposited in the earth, in a sitting posture, "upon a stone or a block of wood."

I have been informed by a person conversant with the subject, that when a death occurred in a family, the women commenced a kind of howling monotonous lamentation, which called the neighbouring females to the wigwam, who joined in the mournful song. This continued until the body was buried; and sometimes for days after. The corpse is carried to the grave by men; others following, without apparent distinction or order. The women remain in the wigwam continuing their lament. The body of the deceased is deposited by the side of the last of the tribe who had been buried, and

some ornaments are usually thrown in the grave. The relations of the deceased do not follow the corpse to its place of intended rest. In the township of Pompey is a very extensive cemetery where the bones of the aborigines lie in rows, side by side, for acres. The present owners of the soil frequently, when ploughing, turn up parts of the human skeleton, and occasionally some articles of dress, or instrument of war. The head that guided the council, and the arm that wielded the tomahawk, are scratched upon the surface with as little ceremony, as is used in our city when levelling a graveyard to make way for a street, or an excavation for the cellar of a storehouse. It is observed that the wandering Indians assiduously avoid this township. They feel that not only their land has passed from them, but the resting place of their ancestors.

Articles are placed in the grave as for use in hunting, war, and other occupations. "They then place as much wood around the body as will keep the earth from it; above the grave they place a large pile of wood, stone or earth," and surround it with palisades. Their cemeteries, our author says, were secluded and held sacred. The women are the mourners. Their expressions of grief are violent: those of a mother for her child, amounting to wailings, and "expressions of grief, exceeding all bounds." To mention the name of the deceased in presence of relatives, is considered an insult. As a token of mourning, black paint is used. "When a woman loses her husband she shaves her hair, and paints her whole countenance black."

Our author says, that their festivals are held on special occasions, as peace, war, or devotion; "or to consult the devil," as to future events. On matters of policy they deliberate long, "and all the chiefs, and persons of any distinction of the nation, assemble in their councils." Each expresses his opinion freely, and at as great a length as he pleases, without interruption. "If the speaker even digresses from the matter in hand, or opposes others, he is heard with attention. If they approve of what has been said, at the conclusion they shout." He says, their councils are only held in the afternoon. But for consulting the devil, the afternoon and evening are chosen, when ceremonies take place, which he thus describes. "They begin with jumping, crying, grinning, and howling, as if they were possessed and mad. They kindle large fires, and dance around and over the same, length-wise and across; they roll and tumble over head, and beat themselves, and continue their violent exercise and gestures, until their sweat pours out and streams down to their feet." The Doctor says, they appear at such times like devils. The "devil-drivers," conjurers, or medicine men, take the lead in all this extravagance, until, as they say, "the devil appears to them, in the form of a beast," which if

ravenous, is a bad omen, if harmless, a good omen. The animal is consulted and answers their queries, but in the old oracular manner, capable of any interpretation. If any "Christains be present on these occasions," the devil will not appear.

The conjurers "bewitch some of the common people:" when the victim appears as if possessed, throws himself into the fire, "without feeling it," but if the medicine-man whispers in his ear, the charm is dissolved, and the bewitched "becomes as gentle as a lamb." On occasions of rejoicing, Vanderdonck says, they "meet at mid-day." The orator explains the cause of the assembling. They then eat, and voraciously, as if in honour of the occasion: this done, the aged smoke, and the young sing and dance.

"When we speak to the natives of creation," the Doctor says, "we can never satisfy them on the subject, or receive from them any affirmation that they believe in the doctrine." He appears to have heard of the voyages of the Northmen, and speaks of a "certain chief named *Sachema*, and that they had never been heard from after they sailed; and as the native chiefs of the New Netherlands, who reside along the rivers and sea shore, are called *Sachems*, they conclude that the country was peopled by these adventurers." Our author, however, leans to the opinion that *men*, as well as *lions* and bears, came from Asia, and says, that "memorials of Chinese origin, are found in the Brazils."

I shall say little of Vanderdonck's remarks on the variation of tribes and language. We have better authority in more recent authors. He makes four distinct languages, beside dialects, viz: that of the Manhattoes, the Minquas, the Savanoo, and the Wappanoo: by the first, meaning "those who live in the neighbouring places along the North River on Long Island and at the Neversink. With the Minquas, we include the Senecas, the Maquas, and other inland tribes. The Savanoos are the southern nations; and the Wappanoos are the north-eastern nations."

At this time, very little gold or silver was used as a medium of trade in New Netherlands, but generally the Indian money, wampum (or "*zeewant*" or seawant) of which some particulars are mentioned by the Doctor worth noting. It is made by any one who has the will and the skill. It is either white or black, the latter being the *most valuable*, and is made from the conch-shells, *which are cast ashore twice a year*. The thin parts are broken off, and from the pillars or standards the wampum is made by grinding them smooth and even, and reducing them to the thickness required; a hole is then drilled through each piece, and they are strung for use. How this was performed by the Indians with their imperfect tools, he does not tell us.

Of manners and morals he observes, that the natives are deliberate of speech, "despise lying; but since they have resorted among

us, they have become cunning and deceitful." They beg without hesitation, (or ask for that which they desire,) but are not offended by refusal. "They are all free by nature, and will not bear any insult, unless they have done wrong, and then they will bear chastisement without resentment." *Revenge* was then, as now, a principle of action. To swim, they are accustomed from infancy. They lounge, sleep, smoke, or "play a game with pieces of reeds resembling our drafts, and also our card playing." The old men knit netts and make wooden bowls and ladles. The women work.

The general remedy for disease was fasting or sweating. For the latter, they erected a small clay hut, into which the patient crept, after it was prepared by heated stones: here he remains as long as possible, and then issues to be plunged in cold water. All this is long known. I remark it as being *then* known as one of their customs. Other people have practised it. Roots and herbs are used to cure wounds, and their efficacy is known, as well as the sagacity with which the Indians use them. The magical *powows* of the *medicine-men* are mentioned. The general health, and ease with which wounds or sickness are removed, are justly attributed to simple diet and the exercise of the chase. Fish they take in "seines, set-netts, small fikes, wears, and by laying hooks:" these snares were attended to by the old men, women and children, when the young men were out on hunting expeditions. Our author says they sometimes hunted in companies—sometimes made "fikes with palisades," into which they drove the hunted animals. He remarks that the beavers are far inland and distant from the settlements, and are principally taken by the black Minquas—so called because they wear a black "badge on their breasts."

"For beaver-hunting the Indians go in large parties and remain out from one to two months, during which time they subsist by hunting, and on a little corn meal, which they carry out with them; and they frequently return home with forty to eighty beaver-skins per man," besides skins of others, etc. It is estimated that 800,000 beavers are killed annually in this quarter of the country, and many buffaloes, bears, etc, which causes apprehension that the wild animals will be destroyed: however, the Doctor thinks not, seeing the extent of the country "even to the great south sea," and the many districts in which "the animals will *remain unmolested*."

Vanderdonck says the Indians "remark that they do not know why one man should be so much higher than another, as we represent them to be." He might have answered, that we can give no good reason for it, and that it is the disgrace of the European nations, because it is a bar to the progress of all that is good or estimable among men—placing as the highest grade in society (not the most virtuous or most wise, but,) those whose fathers have attained wealth, power, distinction, by whatever means achieved; and this

although the sons may be stupid, ignorant, vicious, and despicably vile. It is a bar to the progress of good, because nations of men (the great mass of community,) are accustomed to look up with awe and reverence to the hereditary possession of wealth or titular distinction, as being above them, and to be imitated—instead of feeling their own dignity and responsibility as rational creatures. It is a hindrance to moral improvement, because men become accustomed to pay that deference to a factitious class whose influence is baneful to society—as promoting and continuing the degradation of man—which is due to virtue alone.

The American Indian in 1656 knew no superiour but *as superiour in merit*. The chief was only such, because by valour and wisdom he had proved himself worthy of his station. The influence of his virtues gave his son a preference over others, his acknowledged equals ; but only as the son inherited the talents of his father or followed in his footsteps : otherwise he sank to the level of those whose faculties were of the common order, or still lower.

To Vanderdonck and his companions it appeared that there were nobles among the Indians of New Netherland ; and the chiefs were called kings by the Europeans. They saw that the child of the chief, if competent to lead in war or persuade in council, was preferred to any other leader, and in the case of his being a *minor*, a kind of regent ruled until his manhood could evince the talents necessary for a chief.

Among all barbarians, bodily strength, activity and courage must be highly esteemed. The Indians of New Netherland paid great deference to the chief whose warlike exploits proved him *a brave* in battle, and a sagacious contriver of schemes by which to circumvent and destroy. “ They are,” says our author, “ artful in their measures, furious in their attacks, and unmerciful victors.” It was already evident to their visitors that they were not soldiers in open fight. To destroy without endangering themselves was their glory ; to fly from an enemy was no disgrace. If placed in a situation of danger from which there is no escape, then they resist to the last manfully ; death was preferable to a captivity from which there was no ransom, and to the certainty of torture, unless adopted by some parent who had lost a son or some near relative. Unless at the moment of furious assault, they spared women and children ; and our author says the women are treated “ as they treat their own, and the children they bring up as they do their own, to strengthen their nation.” He hints that the Netherlanders gained notice of the designs of the Indians from their women, who might be induced to betray the confidence of their husbands or lovers. He describes their weapons of offence and defence (before the introduction of fire-arms) as being “ bows and arrows, with a war-club hung to the arm, and a square shield which covered the body up to the shoulders.”

To the club succeeded the tomahawk, (a hatchet bought from the Europeans) and to the bow and arrow, the gun, powder, and lead, which they immediately became dexterous in using. The shield was dismissed. Every tree is a shield to the Indian. It is probably the Iroquois our author has in mind when he speaks of the wars of the natives; for they were above all as to the arts of destruction.

“We Netherlanders,” says Vanderdonck, “are astonished to find that such societies can remain united where there is no regard paid to the administration of justice.” He testifies to the unfrequency of crimes among them; and says that crimes were more frequent among the Dutch, although they “supported a watchful police,” than among the natives who had none, and who, if detected in a thievery, were only obliged by their chief to return the article and receive his reprimand for the delinquency—a punishment which they appeared to dread. If the Netherlander detected an Indian in stealing a knife, an axe, or such like tempting article, he chastised him “freely,” and the culprit received it unresistingly. In nine years’ residence in the country, he says he had not heard “of any capital offences.” An instance of infanticide committed by an unmarried prostitute, went unpunished, as did several assaults committed by a man upon women whom he found in solitary places.

In cases of murder, the chiefs only interfere to prevent the feud extending further, by reconciling the avenger, one near of kindred, with gifts from the murderer as an atonement. If not thus reconciled, the relations pursue the murderer to death. If the murderer is slain before twenty-four hours have elapsed from the time in which the crime is committed, Vanderdonck says, the avenger is not liable to the vengeance of the relatives of the man he has slain; but if longer time elapses, he in his turn is liable to pursuit and death. He says “a murderer seldom is killed after the first twenty-four hours are past; but he must flee and remain concealed, when the friends endeavour to reconcile the parties, which is frequently agreed to on condition that the nearest relatives of the murderer, be they men or women or children, on meeting the relatives of the person murdered, must give the way to them.” This (as the Doctor has previously said that during his nine years’ residence he had not heard of a capital offence) must be taken as hearsay information. In Tanner’s Narrative we have positive testimony on this and many other subjects.

His description of the torturing captives, is the same as mentioned by others. He does not say he witnessed a scene of the kind.

Vanderdonck’s notions of the religion of the Indians of New Netherland is confused and contradictory. He says “they neither know nor say any thing of God,” and then tells us that “they ack-

knowledge the *soul* proceeds from God and is his gift." He says they have no superstitions, and afterwards mentions superstitious fears and customs. He says they swear by the sun who "sees all things," and reverence the moon; they distinguish the planets from the stars, but do not worship them. "They profess great fear of the devil, who they believe causes their diseases, etc." To religious discourses they listen attentively, but without any apparent effect. Some of the old men say that in former times God was known among the Indians, but they not knowing how to read and write, he was forgotten. If told that their conduct is offensive to the Deity, they answer, "we have never seen him—if you know him and fear him, as you say you do, how happens it that there are so many thieves, drunkards, and evil-doers found among you?" The Indian further concluded that God would punish the Dutch for disobeying him, whereas he had never made himself known to the Indian. Vanderdonck remarks on the very few who become Christians, and the universal practice of the Indian children educated among the Dutch, of returning to their native tribes when adults. He tells us a story from a trader who went among the French Indians, who says that in 1639 he talked on the subject of religion with a chief who spoke good French, and this chief told him that he had been so far instructed that he often said the mass among the Indians, and that on a certain occasion, the place where the altar stood caught fire by accident, and the Indians made preparations to extinguish it; but he forbade them "saying *that God* who who is placed there (on the altar*) is almighty, and he will put out the fire himself." We waited attentively looking on, but the fire continued until the almighty God himself, with all the fine things which were about him were burnt up: since that time I have never held to that religion, but regard the sun and the moon much more. And he gave for his preference their warmth, light, and productiveness. To their belief in a future state and in rewards and punishments our author testifies, and admires their distinguishing between the body and the soul. As to their notion of a place of bliss, or the contrary, it of course is conformable to their present state and desires.

Another notion is mentioned by our author at great length. It amounts to a belief that God is in Heaven, enjoying happiness, and entrusts the affairs of the earth to the devil. As to their fables of the creation, I cannot think them worth copying from the Doctor. A chapter on the beaver finishes the work; for, the pages occupied by a discourse between a patriot and a New Netherlander are of a distinct character: in this, however, may be gathered hints

* Referring probably to the Romish doctrine of Transubstantiation.

respecting the situation of New Netherland at the time of writing, and from 1647 to 1656.

The patriot objects to the colony as easily wrested from Holland by any other European power. The New Netherlander endeavours to prove its capabilities of defence: he says the West India Company have been at a great expense in establishing the colony and for its defence and security. He considers the necessity which foreigners would be under of using the lead and line in entering the Delaware and Hudson as a source of security—as in so doing they must pass “forts of considerable strength—equal to the forts of this country” (Holland;) “Sandy Hook, the Highlands, Hell-gate,” etc., can be rendered impregnable. To the objection that an enemy would land on the sea-shore and not enter their bays with ships, it is answered that the Indians watch the sea shore, and are rewarded for giving intelligence whenever ships appear on the coast. He thinks landing on Long Island out of the question, and an enemy must attack New Amsterdam directly, and the people would have notice of their approach and be prepared at Sandy Hook, “the Headlands,” and above all, Fort Amsterdam—“whereon there are so many cannon mounted” that half would not be required to repel invaders.

The patriot then states the danger of the colony from surrounding hostile enemies—the Indians and English. To which it is answered that the first are not formidable to men accustomed to their mode of warfare. “‘The last war we had with them’ Kieft’s war, “when we were not half as strong as we are now, they remember so well that they will not readily begin again.” He says in that quarrel “there was little fault on their side.” As to the English, the New Netherlander acknowledges that there is much danger both from the Virginians and New Englanders. But “the Virginians can do nothing unless they come by sea; a land march presents insurmountable difficulties.” The “New Englanders are much stronger than we are,” but he says their towns and villages are very open to invasion. “Nor would they trouble us without an express command of parliament” which would occasion a war between England and Holland. He thinks the New Englanders do not wish war with New Netherland, “not that I ascribe this to their good will,” but to their interest.

The commercial advantages of New Netherland are the next subject. The articles of export are stated to be wheat, rye, peas, barley, pork, beef, fish, beer, and wines, which are sent to the West Indies. The settlers who come to New Netherland raise their own provisions “in the second year, and in the third have a surplus.” The trade in peltries is then mentioned, and the advantages expected from the cultivation of the vine, from the fisheries, and the exportation of hemp, timber, tar, ashes, and iron.

He proceeds, "it is now about fifteen years since the New Netherlands have begun to be settled in earnest by freemen : in that time we have endured a destructive war, otherwise it would have been double what it now is : for that which had been done by the Company, except the fortifications and a few houses, was of little importance, the residue was destroyed in the war." The exact period here meant and the war alluded to I do not at present comprehend. At present, he says, that is in 1656, people of property have settled in the colony, whereas before, the emigrants were adventurers, who would bring little and carry away much, and thought nothing of the common good : but now there are good citizens, loving "orderly behaviour," who have erected good dwellings ; and fine farms with pasturage, fields of grain, gardens, and orchards abound. He asserts that although much has been expended on the country, more has been carried from it, but the expenditure was by the Company, and the profits were embezzled by others. Now that the trade is free, this abuse has ceased. It must be remembered that the Dutch West India Company failed in 1634. "Now he says trade is carried on to advantage, the Indians without our trouble or labour bring to us their fur trade, worth tons of gold, which may be increased."

I must here remark that the natives were the only trappers and hunters. As yet no companies of merchants had enlisted Europeans in their service to be led by their agents or clerks, *armed*, into the territories of the natives, to destroy the game on which the owners of the soil subsisted, merely for the skins of the animals, and bear off for their own profit those skins which were the clothing of the Indians ; thus robbing the native of food and raiment, who, if he stands on the defensive against the invaders, is without mercy murdered, and stigmatized as a murderer—nay so reckless are the wretches employed by the honest, honourable, Christian merchants, that they occasionally murder the Indians for sport, as is testified by the author of Captain Bonneville's trapping expedition ; and yet at this time (1839) these trappers are held up for admiration as the "*remnant of chivalry*," the Raleighs and Sydneys of the age.* The Dutch traders exchanged articles desired or wanted by the Indians for those of which they at that time had a superfluity ; they did not intrude upon the haunts of the beaver or buffalo. They neither robbed nor murdered the Indians in their early intercourse with them—yet we find our dainty moralists of the present day reprobating Dutch traders for selling guns, powder, lead, hatchets and rum, to those who like the whites misuse them ; and praising the English or American traders who hire

* See second No. New York Review, Art. Irving's Bonneville.

ruffians to rob the dwellers on the prairies of the West, and murder them at their pleasure whether resisting or not. The ruffian trapper is yclept a *remnant of chivalry*—the Indian if he retaliates or resists is a “merciless murderer.”

Vanderdonck says, that iron ore was already discovered in the New Netherlands, and that the people of New England already “cast their own cannon, plates, pots and cannon-balls from native iron.”

Our author says, the Indians prepare the colours with which they smear their faces and bodies, some from earth and stones pounded fine, and some from the juice of herbs and berries, dried on pieces of bark and preserved in powder. They carry these paints about them in little bags. Although their skill as painters was principally confined to daubing their bodies, he says, he has seen “some counterfeit representations of trumpets in their strong houses or castles, where they hold their councils.” They likewise paint their *shields* and war clubs. Sometimes they attempt the likeness of a canoe or of an animal, but the Doctor with admirable naivetté says, “they are not well done.” But he says that they have a method of colouring and preparing hair, with which they form beautiful ornaments resembling plumes. Some of the hair used in this ornament is long and coarse, some short and very fine; these they unite together by means to him unknown and they produce a beautiful effect. They also know how to prepare a colouring wherein they dye the hair a beautiful scarlet red, and the colour is so well fixed that no exposure changes it. This coloured hair they plait and tye, forming bands for use or decoration.

This art practised by the Mohicans and Iroquois in 1600, is now in use among the tribes of the far west, as we see by the arms and ornaments in our museums. General Johnson remarks that the purple colour prepared by the Indians was from “the poke berry,” but they knew, as Vanderdonck remarks, the superiority of mineral colours, and we may say, that it was experience taught them, as well as white artists, that only such are permanent.

INDIAN CIRCULATING MEDIUM. FIRST INTERCOURSE BETWEEN THE DUTCH AND NEW ENGLAND.

I AM indebted to Moulton's History of New York* for the following interesting extracts :

“ Cloth, [of dark colour] hoes, hatchets, awls, beads, and other trinkets, looking-glasses, Dutch trumpets, (in which the natives delighted) and fire-arms, were the articles for the Indian trade. The circulating medium was *seawan*.† This was manufactured particu-

* Vol. I. pp. 376-385.

† “ *Seawan*, was the name of Indian money, of which there were two kinds ; *wompam*, (which signifies *white*) and *suckauhock*, (*sucki* signifying black.) *Wompam* or *wompameague*, was, though improperly, also understood among the Dutch and English, as expressive of the generic denomination. *Wompam*, or white money, was made of the stem or stock of the *meteahock* or *periwinkle* : *suckauhock*, or black money, was manufactured from the inside of the shell of the *quahog* (*venus mercenaria*), a round thick shell-fish, that buried itself but a little way in the sand, and was generally found lying on it in deep water, and gathered by rakes or by diving after it. The Indians broke off about half an inch of a purple colour of the inside, and converted it into beads. These, before the introduction of awls and thread, were bored with sharp stones, and strung upon sinews of beasts, and when interwoven to the breadth of the hand, more or less, were called a belt of *seawan* or *wompam*. A black bead, the size of a straw, about one third of an inch long, bored longitudinally and well polished, was the gold of the Indians, and always esteemed of twice the value of the white ; but either species was esteemed by them of much more value than European coin. An Indian chief, to whom the value of a *rix* dollar was explained by the first clergyman of *Rensselaerwyck*, laughed exceedingly to think the Dutch set so high a price upon a piece of iron, as he termed it. Three beads of black and six of white were equivalent, among the English, to a penny, and among the Dutch, to a *stuyver*. But with the latter, the equivalent number sometimes varied from three and six, to four and eight. One of Governor *Minuit*'s successors fixed by placard, the price of the ‘good splendid *seawan* of *Manhattan*,’ at four for a *stuyver*. A string of this money, one fathom long, varied in price from five shillings among the New Englanders, (after the Dutch gave them a knowledge of it) to four guilders, (\$1.66½) among the Dutch. (a) The process of trade was this : the Dutch and English sold for *seawan* their knives, combs, scissors, needles, awls, looking-glasses, hatchets, hoes, guns, black cloth,

(a) “ The prices of the fathom are related by *Roger Williams* and *David Pietersen De Vries*. They must have referred to an inferior quality, if we calculate the number of beads in a fathom, or the Indians sold by the fathom at a price much less than the Dutch and English had put upon the value of single beads or shells.”

larly by the Indians of *Seawan-lucky*, or Long Island; and of this, as well as the first mentioned articles, the New Netherlanders had on hand a surplus quantity. It is obvious, therefore, that for the purpose of vending these wares, a favourite policy of Governour Minuit was to ascertain a new market. His trading vessels had visited *Anchor-bay*, and *Sloop-bay*, situate on each side of *Red-Island*,* ascended the river† flowing into the bay of Nassau,‡ and trafficked at *Sawaans* or *Puckanokick*, where *Massassowat*, the friend of the Plymouth people, held dominion. From him and other Indians the latter had often heard of the Dutch, and from the same source the Dutch had no doubt received intelligence of the English. But during the six years which had elapsed since the settlement of Plymouth, there had not been the least intercourse with New Netherland. This negative relation would have continued, if the commercial policy which has been suggested, had not now induced Governour Minuit to seek out New Plymouth, as the market which was most convenient to intercourse, most congenial in temper and circumstances, and, therefore preferable to Virginia and Canada, for the purpose of establishing a treaty of commerce and amity. The people of Plymouth had a trading-house at Manomet,§ but, comparatively unambitious, their commerce, fortifications, and strength of men, were, as was acknowledged|| by them, far inferiour to those of New Netherland. Con-

and other articles of the Indian traffick, and with the seawan bought the furs, corn, and venison from the Indians on the sea-board, who also, with their shell money, bought such articles from Indians residing in the interior of the country. Thus by this circulating medium, a brisk commerce was carried on, not only between the white people and the Indians, but between different tribes among the latter. For the seawan was not only their money, but it was an ornament to their persons. It distinguished the rich from the poor, the proud from the humble. It was the tribute paid by the vanquished to those, the Five Nations for instance, who had exacted contribution. In the form of a belt, it was sent with all public messages, and preserved as a record of all transactions between nations. If a message was sent without the belt, it was considered *an empty word*, unworthy of remembrance. If the belt was returned, it was a rejection of the offer or proffer accompanying it. If accepted, it was a confirmation, and strengthened friendships or effaced injuries. The belt with appropriate figures worked in it, was also the record of domestick transactions. The confederation of the Five Nations was thus recorded. The cockle shells had indeed more virtue amongst Indians, than pearls, gold, and silver had among Europeans. Seawan was the seal of a contract--the oath of fidelity. It satisfied murders, and all other injuries, purchased peace, and entered into the religious as well as civil ceremonies of the natives. A string of seawan was delivered by the orator in public council, at the close of every distinct proposition made to others, as a ratification of the truth and sincerity of what he said, and the white and black strings of seawan were tied by the pagan priest, around the neck of the white dog suspended to a pole, and offered as a sacrifice, to *Thalonghyawagon*, the upholder of the skies, the God of the Five Nations."

* "*Rooode Eylandt*, corrupted into Rhode Island."

† "*Taunton*."

‡ "*Narragansett*."

§ "*North side of Cape Cod*."

|| "*By Governour Bradford, in his Letter Book*."

fined in their operations to the vicinity of the barren and lonely spot on which they had been cast, their little trade was indispensable, and they were aggrieved that the Dutch had encroached upon this trade, almost to their very doors. Having no transatlantic commerce, they, this year, (1627) sent an agent to England and Holland, to make arrangements for such supplies as their wants or commerce demanded.

“Such was the relative situation of the two colonies when in March, Governour Minit caused a deputation to the governour and council of Plymouth, with two letters, written in Dutch and French, dated at ‘Manhata, in Fort Amsterdam, March 9th, 1627,’ (N. S.) signed, ‘Isaac de Razier, secretary.’ The Dutch governour and council congratulated the people of Plymouth on the success of their praise-worthy undertaking, proffered their ‘good will and service in all friendly correspondence and good neighbourhood,’ invited a reciprocity of amicable feeling, suggested for this purpose among other things ‘the propinquity of their native countries, and their long continued friendship,’ and concluded by desiring ‘to fall into a way of some commerce and trade’—offering any of their goods that might be serviceable, and declaring that they should feel themselves bound to accommodate and help ‘their Plymouth neighbours with any wares that they should be pleased to deal for.’*

“The answer of Governour Bradford and council was as follows:†

“ ‘To the Honourable and Worshipful the Director and Council of New Netherland, our very loving and worthy friends and Christian neighbours.

“ ‘The Governour and Council of Plymouth, in New England, wish your Honours and Worships all happiness and prosperity in this life, and eternal rest and glory with Christ Jesus our Lord in the world to come.

“ ‘We have received your letters wherein appeareth your good will and friendship toward us, but is expressed with over high titles, and more than belongs to us, or than is meet for us to receive: but for your good will and congratulation of our prosperity in this small beginning of our poor colony, we are much bound unto you, and with many thanks do acknowledge the same, taking it both for a great honour done unto us, and for a certain testimony

* “Extract from a manuscript history of Plymouth, communicated by Hon. Francis Baylies of Massachusetts. Prince’s New England Annals, p. 172. Morton’s New England Memorial, p. 91. Governour Bradford’s Letter Book, III, Mass. Historical Collections, p. 51. Hutchinson, II. App.

† “Dated March, 19, 1627. The original was written in Dutch.”

of your love and good neighbourhood. Now these are further to give your Honours, Worships and Wisdoms to understand, that it is to us no small joy to hear, that it hath pleased God to move his Majesty's heart, not only to confirm that ancient amity, alliance and friendship, and other contracts formerly made and ratified by his predecessors of famous memory, but hath himself, (as you say,) and we likewise have been informed, strengthened the same with a new union, the better to resist the pride of that common enemy, the Spaniards, from whose cruelty the Lord keep us both, and our native countries. Now for as much as this is sufficient to unite us together in love and good neighbourhood in all our dealings, yet are many of us further tied by the good and courteous entreaty which we have found in your country, having lived there many years with freedom and good content, as many of our friends do to this day, for which we are bound to be thankful, and our children after us, and shall never forget the same, but shall heartily desire your good and prosperity as our own forever. Likewise, for your friendly proposition and offer to accommodate and help us with any commodities or merchandize which you have and we want, either for beaver, otters, or other wares, is to us very acceptable, and we doubt not but in short time, we may have profitable commerce and trade together. But you may please to understand that we are but one particular colony or plantation in this land, there being divers others besides, unto whom it hath pleased those Honourable Lords of his Majesty's council for New England, to grant the like commission, and ample privileges to them, (as to us) for their better profit and subsistence, namely ; to expulse or make prize of any, either strangers or other English, which shall attempt either to trade or plant within their limits, (without their special license and commission) which extends to forty degrees : yet for our parts, we shall not go about to molest or trouble you in any thing, but continue all good neighbourhood and correspondence as far as we may ; only we desire that you would forbear to trade with the natives in this bay, and river of Narragansett and Sowames, which is (as it were) at our doors. The which if you do, we think also no other English will go about any way to trouble or hinder you ; which otherwise are resolved to solicit his Majesty for redress, if otherwise they cannot help themselves.

“ ‘ May it please you further to understand, that for this year we are fully supplied with all necessities, both for clothing and other things ; but it may so fall out, that hereafter we shall deal with you, if your rates be reasonable : and therefore, when your people come again, we desire to know how you will take beaver by the pound, and otters by the skin, and how you will deal per cent. for other commodities, and what you can furnish us with ; as likewise what commodities from us may be acceptable with you, as

tobacco, fish, corn, or other things, and what prices you will give.

“ ‘Thus hoping that you will pardon and excuse us for our rude and imperfect writing in your language, and take it in good part, because, for want of use, we cannot so well express that we understand, nor happily understand every thing so fully as we should : and so we humbly pray the Lord, for his mercy’s sake, that he will take both us and our native countries in his holy protection and defence. Amen.

“ ‘ By the governour and council, your Honours’ and Worships’ very good friends and neighbours.’

“ In August, Governour Minuit and council sent another deputy,* and in reply, insisted upon the right to trade to the places which Governour Bradford and council had interdicted, that ‘ as the English claimed authority under the King of England, so we, (the Dutch) derive ours from the states of Holland, and will defend it.’ The letter was in other respects very friendly, and, as if to preclude any interruption to the harmony of their projected intercourse, the messenger was charged with a present of a rundlet of sugar and two Holland cheeses, for which many thanks were returned in the answer by Governour Bradford ; he also requested that a deputy might be sent to confer respecting their future trade and commerce, and with the most friendly zeal cautioned the Dutch to avoid the Virginia ships or fishing vessels, which might make prize of them, as they had a few years previously, of a French colony that had intruded within their limits : † apprized them of the patents of Queen Elizabeth, and advised them to solicit the States General, to negotiate with England for an amicable understanding upon the subject. Governour Bradford communicated copies of the correspondence to the council for New England, and to Sir Ferdinando Gorges, requesting advice. But now, as if apprehensive, lest the contemplated intimacy with the New Netherlanders, might give plausibility to their local pretensions, he wrote again to Governour Minuit in October, that he should suspend a decision on the question of trade, till the Plymouth agent should return from England and Holland, whither he had been sent to make arrangements, before it was ascertained that supplies could be obtained from the Dutch. He again advised them to adjust their title to a settlement ‘ in these parts,’ lest in these ‘ stirring evil times,’ it should become a source of contention.

“ But before the reception of the last letter, Secretary Razier, actuated by the prior communication of Governour Bradford, re-

* “ Jan Jacobsen Van Wiring, (John the son of Jacob of Wiring.”)

† “ In allusion to Argall’s expedition against Port Royal.”

solved, with the approbation of the governour and council, to be himself the bearer of an embassage to Plymouth. In the bark Nassau, freighted with a few articles for traffick, manned with a retinue of soldiers and trumpeters, conformable to the fashion of the day, and proportional to the dignity of his station, this second officer of the government, departed on an embassy, which was as important in the primitive affairs of New Netherland and New Plymouth, as any of the magnificent embassies of the old world were to full-grown kingdoms.*

“The reader’s fancy will follow the bark through the East river,† into the great bay of the Island of Shells,‡ and as it boldly swept over the bay, or cautiously glided along its shores, skirted by thousands of wigwams,§ he will picture the wild and joyful gesticulations of the Indians, as they gazed upon the fantastick arrangements of the little vessel, or listened to the deep notes of the trumpeters.

“Arrived in safety at Manomet,|| the secretary despatched to Governour Bradford a letter,¶ announcing his arrival, specifying the articles that comprized his cargo, and requesting some mode of

* “In the language of a contemporary of Governour Minit and Governour Bradford:—‘If any tax me for wasting paper with recording these small matters, such may consider, that small things in the beginning of natural or politick bodies, are as remarkable as greater, in bodies full grown.’ Thomas Dudley, the first deputy governour of Massachusetts, in an epistle to ‘my very good lady, the Lady Bridget Countess of Lincoln,’ dated Boston, 1631, and published in ‘Massachusetts, or the first Planters,’ etc., Boston, 1696, p. 22.”

† “*Oost rivier*, called also *Helle Gadt river*.”

‡ “Long Island Sound.”

§ “See Trumbull’s Hist. of Connecticut, I. ch. 3.”

|| “North side of Cape Cod.”

¶ “Addressed to ‘Monsieur Monseigneur, William Bradford, Gouverneur in Nieu Plemeuen.’”

“After the wishing of all good unto you, this serves to let you understand, that we have received your (acceptable) letters, dated the 14th of last month, by John Jacobson of Wiring, who besides, by word of mouth, hath reported unto us your kind and friendly entertainment of him: for which cause (by the good liking and approbation of the Director and Council) I am resolved to come myself in friendship to visit you, that we may by word of mouth friendly communicate of things together; as also to report unto you the good will and favour that the Honourable Lords of the authorized West India Company bear towards you; and to show our willingness of your good accommodation, have brought with me some cloth of three sorts and colours, and a chest of white sugar, as also some *seawan*, etc. not doubting but, if any of them may be serviceable unto you, we shall agree well enough about the prices thereof. Also, John Jacobson aforesaid, hath told me that he came to you over land in six hours, but I have not gone so far this three or four years, wherefore I fear my feet will fail me; so I am constrained to entreat you to afford me the easiest means, that I may, with the least weariness, come to congratulate with you: so leaving other things to the report of the bearer, shall herewith end; remembering my hearty salutations to yourself and friends, etc. From aboard the bark Nassau, the 14th of October, 1627, before Frenchmen’s Point.

“Your affectionate friend,

“ISAAC DE RAZIER.”

conveyance to Plymouth. His request was granted. A boat was sent to *Manonscusset*,* and Razier ‘honourably attended by, a noise of trumpeters,’† was ushered into Fort Plymouth. Here he was kindly entertained several days. The meeting was not merely one of commercial speculation and heartless formality. It was the first meeting, in the solitude of the new world, of the friendly colonists of two allied European nations. It was the joyful meeting of kindred as well as friends, for the wives and little ones of some of the pilgrims had also their place in Holland. Though the rigid simplicity of puritan costume and manners, the simple salutation, for instance, of goodman and goody, were in direct opposition to the high-sounding titles, formal stateliness and warlike decorations of the Dutch, yet the very spirit of amity consecrated the intercourse upon this novel occasion.

“When the Dutch departed, they were accompanied to Manomet by the Plymouth people, by whom articles of their merchandize were purchased, particularly the *scauan*, which was then introduced into New England, and became the medium of profitable trade with the Eastern Indians.‡ Such was the harmony, of the first communication between the two colonies, that the Dutch offered their assistance against the French, if needed; urged their friends, to abandon the barren spot on which fate had cast them, and remove to the fertile banks of the *Fresh river*.§ The adoption of this advice might have perpetuated that good feeling, which, though afterwards supplanted by contention and bitterness, was for years the foundation of repeated intercourse and profitable commerce. The Dutch frequently went to Manomet, exchanging their linens and stuffs for tobacco, which trade was extremely advantageous to the people of Plymouth, until the Virginians found out

* “On the south side of Cape Cod.”

† “Governour Bradford’s letter book.”

‡ “Dr. Chalmers’s (Political Annals) says, that Razier brought peltry and purchased corn. Hence it is inferred the Dutch had made little progress in agriculture. The conclusion is true, though the premises are not. It is doubtful whether Plymouth raised corn enough for domestick consumption. ‘But whatever were the honey in the mouth of that beast of trade, there was a deadly sting in the tail. For it is said they first brought our people to the knowledge of *wampampeag*; and the acquaintance therewith occasioned the Indians of these parts to learn the skill to to make it, by which, as by the exchange of money, they purchased stores of artillery, both from the English, Dutch, and French, which hath proved a fatal business to those that were concerned in it. It seems the trade thereof was at first, by strict proclamation, prohibited by the king. ‘*Sed quid non mortalia pectora cogis—Auri sacra fames!*’ The love of money is the root of all evil, etc. Hubbard. Hist. New. Eng. Mass. Hist. col. V. 100.”

§ “*Versche rivier*—the Connecticut.”

the Dutch colony, and drove them from this market by underselling them in tobacco.*

"The West India Company also enjoyed immediately the salutary fruits of this commercial interchange, for the year after it commenced, (viz. 1628) Governour Minuit, without the necessity of any fresh imports that year, exported to the Amsterdam department more furs than at any other period."†

FIRST ORGANIZATION OF CONTINENTAL ARMY. NEW YORK REGIMENTS.

THE first germ of the Army of the United Colonies, was the militia of the state of New York. On the 26th of May, 1775, the Continental Congress "resolved unanimously, that the militia of the state of New York be armed, trained, and kept in constant readiness to act at a moment's warning." It was also by unanimous resolution "recommended to the convention of New York to persevere the more vigorously in preparing for their defence." This was the first important military movement of the new and first continental congress.

On the 14th of June, 1775, the congress appointed "rules and regulations for the government of *the army*." The militia then in service being thus considered to be embodied as "the army." The action of congress resulted in a general organization by the appointment of one general-in-chief, four major-generals, and eight brigadier-generals, and the general staff of the army. It was on this occasion that "George Washington, Esq., received all the ballots" as general-in-chief, and rising in his place on the floor, modestly but gracefully accepted the trust.

On the following 22d of June, it was resolved that officers then in the army receive their commissions through the new general-in-chief. This would seem to be a formality necessary to their change of character from provincial militia to the *army* of the United Colo-

* "Mr. Baylies extract. MSS. Hist. of Plymouth."

† "Viz: 6951 beavers, 734 otters and other skins, valued at 61,075 guilders, or \$25,447 91½ cents."

nies. Six days after this resolution Colonel Van Schaick was commissioned—being the first officer commissioned by congress for the war, in this state.

Early in the ensuing session, viz. January 9th, 1776, congress passed the following :

“ Resolved, That Colonel Van Schaick, Lieutenant-colonel Yates, and Major Gansevoort be continued in the service of the United States, and that they take command of the battalion to be levied in New York.”

Within a few days, however, congress found such a force entirely inadequate to the protection of so large and important a territory ; accordingly we find that on the 19th of January, (ten days intervening) it was resolved, “ That *four battalions* be raised in the colony of New York for the defence of that colony, and that the council of safety of New York be requested with all possible expedition to transmit the names of a number of gentlemen—at least two for each command, out of whom congress may elect field-officers for said battalions.”

In due time, New York furnished her four complete regiments—which were officered as follows—so far as at present can be ascertained :

FIRST REGIMENT.

	<i>Date of Commission.</i>
Colonel—Gozen Van Schaick.	28th of June, 1775.
Lieutenant-colonel—Cornelius Van Dyke.	21st November, 1776.
Major—Benjamin Ledyard.	

Captains.

John Graham,	John H. Wendell,
Andrew Finck,	John Copp,
Benjamin Hicks,	Nich's. Van Rensselaer.

Regimental Staff.

Peter B. Tearse—*Adjutant.*
 Henry Van Woert—*Quartermaster.*
 Abraham Ten Eyck—*Paymaster.*
 William Mead—*Surgeon.*
 Caleb Sweet—*Surgeon's-mate.*
 Charles Parson—*Captain-lieutenant.*

Lieutenants.

Guy Young,	Peter B. Tearse,
Barent S. Salisbury,	Nathaniel Henry,
John C. Ten Broeck,	Abraham Hardenbergh,
Adiel Sherwood,	William Scudder.

*Ensigns,
With rank of Second Lieutenants.*

Ephraim Snow,	Bart. Van Valkenburgh,
Henry Van Woert,	Abraham Ten Eyck,
Jacob H. Wendell,	Charles Muller,
Jacob I. Clock,	Wilhelmus Ryckman,
Benjamin Gilbert.	

SECOND REGIMENT.

Colonel—Philip Van Cortlandt. 21st of November, 1776.

Lieutenant-colonel—Frederick Wiesenfels.

Major—Nicholas Fish.

Regimental Staff.

Robert Prevost—*Paymaster*.

William Minimee—*Surgeon*.

Captains.

Charles Graham,
Samuel T. Pell,
Jacob Wright,
Jonathan Hallet,
Edward Lounsberry,
Abner French,

Capt. Lieutenant.

Isaac Van Woert.

Lieutenants.

Charles Newkirk,
Christopher Codwise,
William Manday,
James Fairlee,
Gilbert I. Livingston,
Charles F. Wysenfels,
John L. Hardenbergh,
Isaac Beekman,

Ensigns,

Rank of Second Lieutenants.

Andrew White,	Bernardus Swartwout,
William Gleeney,	Richard Mount,
Teunis Van Wagenen,	John Brown,
Robert Prevost.	

THIRD REGIMENT.

Colonel—Peter Gansevoort. 21st of November, 1776.

Lieutenant-colonel—Marinus Willet.

Major—Robert Cochran.

Regimental Staff.

Christopher Hutton—*Adjutant*.

Jeremiah Van Rensselaer—*Paymaster*.

Prentice Brown—*Quartermaster*.

Stanloke Woodruff—*Surgeon*.

John Elliott—*Surgeon's-mate*.

Captains.

Aaron Aorson,
 Thomas Dewitt,
 Cornelius T. Jansen,
 Leonard Bleecker,
 James Gregg,
 Henry Tiebout,

Captain Lieutenant.
 George Sytes.

Lieutenants.

Philip Conyne,
 William Topp,
 Thomas McClellan,
 Prentice Bowen,
 Garret Staats,
 Benjamin Bogardus,
 William Colebreadth,
 Christopher Hutton.

Ensigns.

Peter Magee,
 John Spoor,
 Josiah Bagley,
 Samuel Lewis,

George Denniston,
 Jeremiah Van Rensselaer,
 Benjamin Herring,
 Gerrit G. Lansing.

FOURTH REGIMENT.

Lieut. Colonel Commandant—Pierre Regier. 12th January, 1776.

Major—Joseph McCracken.

Regimental Staff.

John Vashe—*Surgeon.*

William Wood—*Surgeon's-mate.*

Captains.

Samuel Sackett,
 John Davis,
 Benjamin Walker,
 Israel Smith,
 Nathaniel Norton,
 Theodorus Fowler,
 Edward Dunscomb.

Lieutenants.

Peter Ellsworth,
 Thomas Hunt,
 Abraham Hyatt,
 Rudolphus VanHovenburgh,
 Joseph Trelich,
 James Barret,
 Daniel Denniston.

Captain Lieutenant—Silas Grey.

The State Library has in vain been searched for information as to the pay and emolument offered to the officers and troops summoned into service for the publick defence. The law of the colonial congress makes no reference to the subject, based apparently upon the confident reliance that the soldiers would come into the field and do the fighting first, and talk about the pay afterwards. The New York battalions, in their minute organization, were probably under the more immediate legislation of the provincial council. No records of this council are to be found in the State Library, at Albany, which is certainly a lamentable defect in its historical department.

Lord Stirling was appointed, and acted as colonel of the Somerset militia, which immediately applied to the continental congress appointing him colonel of the first regiment of New Jersey.

ENGLISH SETTLEMENT OF NEW JERSEY.

1664 CHARLES the Second, by letters patent, bearing date the 20th day of March, 1664, for the consideration therein mentioned, granted unto James, Duke of York, his heirs and assigns, "all that part of the main land of New England, beginning at a certain place, called or known by the name of St. Croix, near adjoining to New Scotland, in America; and from thence extending along the sea coast, unto a certain place called Pemaquie or Pemaquid, and so up the river thereof, to the furthest head of the same, as it tendeth northward; and extending from thence to the river of Cimbequin, and so upwards by the shortest course, to the river Canada northwards; and also all that island or islands, commonly called by the several name or names of Matowacks or Long Island, situate and being towards the west of Cape Cod, and the narrow Higansetts, abutting upon the land between the two rivers, there called or known by the several names of Connecticut and Hudson's river; together also with the said river called Hudson's river; and all the land from the west side of Connecticut river, to the east side of Delaware bay; and also several other islands and lands in the said letters patents mentioned: together with the rivers, harbours, mines, minerals, quarries, woods, marshes, waters, lakes, fishings, hawking, hunting and fowling, and all other royalties, profits, commodities and hereditaments to the said several islands, lands and premises, belonging or appertaining."

The Duke of York being thus seized, did by his deeds of lease and release, bearing date *the 23d and 24th days of June, 1664*, in consideration of a "competent sum of money," grant and convey unto John, Lord Berkely, baron of Stratton, one of the kings privy council; and Sir George Carteret, of Saltrum, in the county of Devon, knight, and one of the privy council,* and their heirs and assigns forever; all that "tract of land adjacent to New England, and lying and being to the westward of Long Island and Manhattas Island; and bounded on the east part by the main sea, and part by Hudson's river; and hath upon the west, Delaware bay or river; and extendeth southward to the main ocean as far as Cape May, at the mouth of Delaware bay; and to the northward

* Sir George Carteret was governour of Jersey, and held it for king Charles II. in the troubles of 1649—expelled the house of commons, in 1669 for confused accounts, as chamberlain.—*Smollet*.

Treasurer of the navy, and vice-chamberlain of the king's household.—*Clarendon*.

as far as the northermost branch of the said bay or river of Delaware ; which is in 41 degrees and 40 minutes of latitude, and crosseth over thence in a straight line to Hudson's river, in 41 degrees of latitude ; which said tract of land is hereafter to be called Nova Cesaria or New Jersey ; and also all rivers, mines, minerals, woods, fishings, hawkings, huntings and fowlings, and all other royalties, profits, commodities and hereditaments whatsoever to the said lands and premises belonging or in any wise appertaining, with their and every of their appurtenances in as full and ample manner as the same is granted unto the said Duke of York, by the before recited letters patents."*

On the 10th of February (old style) Carteret and Berkeley published a plan of government for the settlers of New Jersey which may be considered as the constitution of the province. They were to be governed by a legislature, consisting of a governour and council, (appointed by the proprietor) and an assembly of delegates chosen annually by the people. A judiciary, a militia for defence, and rules for the sales, purchases, and laying off of lands were established. Philip Carteret was appointed first governour, and came over in 1668, when a legislative body consisting of governour, council and house of burgesses, elected by the people, met in general assembly.

After the re-conquest of New York and New Jersey by the Dutch, and the retro-cession to Charles II., by the general article of the treaty of peace in 1673, in order to prevent any disputes that might arise upon a plea of the property being thus alienated from the first purchasers, Charles by letters patent bearing date 29th day of June 1674, granted to the Duke of York, his heirs and assigns, the several tracts of land in America of which New Jersey was part ; and in the same year, upon the application of the assigns of Lord Berkeley, the duke made them a grant of West New Jersey ; and in like manner by an instrument bearing date the 10th of October, granted the eastern moiety of New Jersey to the grandson of Sir George Carteret.† Andros the duke's governour for New Jersey, as we shall see, in 1680, disputed the rights of government which had been conveyed to New Jersey.

Upon the surrender of New Amsterdam and the territory of the Dutch to the English, Nicolls, as governour for James Duke of York, (not knowing that his master had sold New Jersey to Berkeley and Carteret,) induced some of the English of Long Island to emigrate to what they called Elizabethtown, Woodbridge, etc. etc. Nicolls called the territory *Albania* : this name was

* Samuel Smith's History of New Jersey, pp. 59 61.

† Ibid, pp. 110-111.

changed by those who purchased from James, and the titles to land derived from Nicolls were disputed, which caused much disturbance for many years.

Smith says, Governour Richard Nicolls granted a deed or patent to John Baker of New York, John Ogden of Northampton, John Bailey, Luke Watson and their associates, dated at Fort James, New York, the 2d of December. "This was before Lord Berkeley's and Sir George Carteret's title was known." The towns in the province were Elizabeth, Newark, Middletown, and Shrewsbury. Woodbridge and Piscataway were settled under Philip Carteret's rule and influence. Now he says, that Philip Carteret "going for England in the summer of 1672, left Captain John Carteret his deputy. Philip returned in 1674, and found the inhabitants more disposed to union among themselves. He remained governour till his death, in 1682."

Nicolls addressed a remonstrance to the Duke, on the impolicy of dividing New York and selling this part of it to Berkeley and Carteret, and foretold that to them the purchase would be ruinous.

It was too late, and in November, Philip Carteret arrived 1665 with thirty emigrants from England, and Nicolls reluctantly surrendered the government of New Jersey to him. By degrees settlers were added and the country cultivated; but in 1670, those who had their titles from Nicolls, refused to pay quit rent to the proprietors, and others imitated them. After a struggle of two years, Carteret went to England.

Grahame accuses James of wishing to resume the grant purchased by Berkeley and Carteret, and paid for, and that he was willing to make the Dutch conquest and cession a pretext for breaking his faith. "It was pretended that the Dutch conquest had extinguished the proprietary right," and that the territory "reverted to the crown." Charles gave his brother a new charter, and the Duke appointed Andros "his lieutenant over the whole re-united province, establishing the same arbitrary sway in New Jersey" as in New York. Carteret requested a renewal of his grant, and it was promised, but as much as possible evaded by the royal duke. Andros seconded the views of his master, endeavouring to render the colonists of New Jersey tributary to New York, issued mandates restricting their trade—seized some of their vessels, and arrested Governour Carteret, carrying him prisoner to New York city, from his residence at Elizabethtown. Berkeley and Carteret had by agreement divided the province they had purchased of James "for a compensation," and Berkeley had the western division, which in 1676, he sold to two English Quakers, Fenwick and Byllinge. This sect had been persecuted, after having in its commencement persecuted others by impertinent intrusions and indecent exhibitions, and after having rendered itself ridiculous by wild aberrations.

tions from sober and reasonable conduct. What must have been thought of a society who could tolerate in its members the outrageous spectacle of naked women appearing in places of worship? or of opinions which could mislead the cautious wisdom of Robert Barclay to walk through the streets of his native town, Aberdeen, in sackcloth and ashes?

1676 But those times were gone by, and Quakers, in 1676, were, as now, only distinguished by peculiarities innocent, if not praiseworthy, and conduct which deservedly placed them among the foremost leaders in political, civil, and religious reform. Still they were persecuted in Europe, and looked to America for an asylum. Many settled on Long Island, where George Fox visited them during his journey to America. At Oyster Bay, on the side of the sound, the people point out a rock, a little from the shore, on which it is said he stood and preached to the people. He likewise visited New Jersey.* In 1676, many Quakers were transported from England to Barbadoes and to the American settlements. Byllinge, one of the purchasers of West Jersey, established himself in that portion of the province, but soon found it convenient to sell or assign his share to William Penn, Gawin Lawrie, and Nicholas Lucas, who assumed the direction of the territory, and obtained a formal division of the province between Humphrey and Sir George Carteret, he taking the eastern part and they the west. They (Penn, Lawrie, and Lucas) framed a constitution for the inhabitants of West Jersey, which they called *concessions*. They confirmed the provisions made by Berkeley and Carteret. The colonists were exempted from taxes other than such as their own assembly imposed; and as "no men, nor number of men upon earth, have power to rule over men's consciences in religious matters," they were free to worship as they pleased. Representatives to the general assembly were to be chosen by balloting balls: and each member so chosen was to receive a shilling a day, "that thereby he may be known to be the servant of the people." Every man was eligible as a representative, and free to vote by his ballot.† The assembly could make, alter, and repeal laws. A trial by jury insured liberty, property, and life to the honest and innocent. Imprisonment for debt was not permitted, and the bankrupt, after surrendering his estate, was free to exert himself for his family or himself.

* See his account of his travels.

† In 1676, the wise Quaker government of New Jersey declared "that all elections be not determined by the common and confused way of cries and voices; but by putting balls into ballot-boxes, whereby every man may freely choose according to his own judgment and honest conviction." Voting by ballot was not adopted in New York until after the revolution which established our independence.

Such a form of government entitles Penn to the applause of posterity. "We lay the foundation," said these Quaker lawgivers of New Jersey "for after ages to understand their liberty as men and Christians, that they may not be brought in bondage but by their own consent ; for we put the power in the people."

1677 To enjoy the benefits of such self-government in such a country as West Jersey, it is not surprising that in 1677, between four and five hundred Quakers left England, bringing with them their families and servants. While on ship-board and in the Thames, Charles, passing in his pleasure-barge, was attracted by the appearance of so many Quakers. He enquired where they were going? and being told "to America," he "invoked a blessing on them." The blessing of Charles! and his courtiers probably standing around enjoying the joke. On the arrival of the Quakers, and settlement in Burlington, Andros soon made them sensible of the nature of a king's blessing, by summoning them to acknowledge the sovereignty of his master, the Duke of York: they remonstrated, and he pointed to his sword. They submitted, but carried their application for redress to England.

William Penn, as an active agent in the welfare of that part of New Netherlands now called New Jersey, becomes a subject for our consideration, and without going into minute details respecting his biography, I will consider some of the peculiarities of his life and character. In his political career, he endeavoured to assure to the people entrusted to him, both civil and religious liberty, yet he was the friend and favourite of the two infamous royal brothers, Charles and James. While they formed plans to deprive New England of her rights and charters, and sent their tools to execute them, they granted almost unbounded liberty to the Quaker settlements under William Penn.

His father had been severely treated by Cromwell, and was a friend to the restoration of the Stuarts, and they appear to have relied upon Penn and the Quakers, as the advocates of passive obedience and non-resistance in political affairs: they likewise wished to remove the sect from Great Britain, where they added numbers and strength to the nonconformists in religious discipline and the opposers of popery. They might further be satisfied, that after having deprived the New England colonists of their rights, there would be little difficulty in extending their despotick sway over the nonresisting Quakers of New Jersey and Pennsylvania. We shall see that in 1686, James's governour of New York and Massachusetts, by his master's orders so far infringed the rights granted to the settlers of New Jersey, that Penn and his coadjutors defended by remonstrance that, which James knew their principles forbade them to defend by more effectual weapons against tyranny.

The immediate occasion of this remonstrance was a tax imposed

by Andros, of ten per cent. on the importation of European merchandize into West Jersey. I copy the greater part of this remonstrance, admirable notwithstanding its prolixity.*

“To those of the duke’s commissioners, whom he has ordered to hear, and make report to him, concerning the customs demanded in New West Jersey, in America, by his governour of New York.

“1st. The king has granted to the Duke of York a tract of land in America, consisting of several Indian countries, with such powers and authorities as are requisite to make laws, and to govern and preserve the territory when planted: but with this restriction twice expressed and several times referred to, viz.—‘So always as the said statutes, ordinances, and proceedings, be not contrary, but as near as may be, agreeable to the laws, statutes, and government of this our realm of England.’ In another place thus: ‘And further, it may be lawful for our dearest brother, his heirs and assigns, by these presents, to make, ordain, and establish all manner of orders, laws, directions, instruments, and forms of government, and magistrates fit and necessary for the territory aforesaid:’ but still with this limitation: ‘so always as the same be not contrary to the laws and statutes of this our realm of England, but as near as may be agreeable thereto.’

“2. The Duke of York, by virtue of this grant from the king to him, for a competent sum of money, (paid by the Lord John Berkeley and Sir George Carteret) granted and sold to them, a tract of land, called now by the name of New Cesarea, or New Jersey; and that in as ample manner as it was granted by the king to the duke.

“Thus then we come to buy that moiety which belonging to Lord Berkeley, for a valuable consideration; and in the conveyance he made us, powers of government are expressly granted; for that only could have induced us to buy it; and the reason is plain, because to all prudent men, the government of any place is more inviting than the soil; for what is good land without good laws; the better the worse. And if we could not assure people of an easy and free and safe government, both with respect to their spiritual and worldly property; that is, an uninterrupted liberty of conscience, and an inviolable possession of their civil rights and freedoms, by a just and wise government, a mere wilderness would be no encouragement; for it were a madness to leave a free, good, and improved country, to plant in a wilderness; and there adventure many thousands of pounds, to give an absolute title to another

* Smith’s History of New Jersey, pp. 117–123.

person to tax us at will and pleasure. This single consideration, we hope, will excuse our desire of the government; not asserted for the sake of power, but safety; and that not only for ourselves, but others; that the plantation might be encouraged.

“ 3. The Lord Berkeley and Sir George Carteret, considering how much freedom invites, that they might encourage people to transport themselves into those parts, made and divulged certain concessions, containing a model of government. Upon these, several went, and are there planted; the country was then possessed, and the said government uninterruptedly administered by the said Lord Berkeley and Sir George Carteret, or their deputy, for several years; during which time no custom was demanded.

“ 4. We dealt with the said Lord Berkeley, upon the sight of these concessions, and the presumption that neither he nor Sir George Carteret, would attempt to act any thing they had not power to do; much less, that they or either of them, would pretend to sell a power they never had; since that would not only be a cheat to the people that dealt with them for it, but an high affront to the duke.

“ 5. The moiety of New Cesarea, or New Jersey, thus bought of the said Lord Berkeley, we dispose of part of our interest to several hundreds of people, honest and industrious; these transport themselves, and with them such household stuff and tools, as are requisite for planters to have; they land at Delaware Bay, the bounds of the country we bought; the passage God and nature made to it; at their arrival they are saluted with a demand of custom of five per cent. and that not as the goods may be there worth, but according to the invoice as they cost before shipped in England; nor did they take them as they came, but at pick and choose, with some severe language to boot. This is our grievance; and for this we made our application to have speedy redress, not as a burden only, with respect to the quantum or the way of levying it, or any circumstances made hard by the irregularity of the officers, but as a wrong; for we complain of a wrong done us; and ask yet with modesty, *quo jure*? Tell us the title by what right or law are we thus used; that may a little mitigate our pain? Your answer hath hitherto been this: ‘That it was a conquered country, and that the king, being the conqueror, he has power to make laws, raise money, etc., and that this power *jure regale*, the king hath vested in the duke, and by that right and sovereignty, the duke demands that right we complain of.’ ”

“ . . . The king’s grant to the Duke of York is plainly restrictive to the laws and government of England, and that more than once, as is before expressed. Now the constitution and government of England, as we humbly conceive, are so far from countenancing any such authority, as it is made a fundamental in

our constitution and government, that the king of England cannot justly take his subjects' goods without their consent. 'This needs no more to be proved, than a principle ; 'tis *jus indigene*, an home-born right, declared to be law by diverse statutes."

" To give up this (the power of making laws) is to change the government, to sell, or rather resign ourselves to the will of another ; and that for nothing. For under favour we buy nothing of the duke, if not the right of an undisturbed colonizing, and that as Englishmen with no diminution, but expectation of some increase of those freedoms and privileges enjoyed in our own country ; for the soil is none of his, 'tis the natives, by the *jus gentium*, by the law of nations ; and it would be an ill argument to convert to Christianity, to expel instead of purchasing them out of those countries. If then the country be theirs, it is not the duke's ; he cannot sell it ; then what have we bought ? We are yet unanswered in this point, and desire you to do it with all due regard to the great honour and justice of the duke. If it be not the right of colonizing there, which way have we our bargain, that pay an arbitrary custom, neither known to the laws of England, nor the settled constitution of New York, and those other plantations ? To conclude this point, we humbly say, that we have not lost any part of our liberty, by leaving our country ; for we leave not our king, nor our government, by quitting our soil ; but we transplant to a place given by the same king, with express limitation to erect no polity contrary to the same established government, but as near as may be to it ; and this variation is allowed but for the sake of emergencies ; and that latitude bounded with these words, *for the good of the adventurer and planter.*"

" Besides there is no end of this power ; for since we are by this precedent, assessed without any law, and thereby excluded our English right of common assent to taxes, what security have we of any thing we possess ? we can call nothing our own, but are tenants at will, not only for the soil but for all our personal estates ; we endure penury and the sweat of our brows, to improve them at our own hazard only. This is to transplant, not from good to better, but from good to bad ; this sort of conduct has destroyed government, but never raised one to any true greatness ; nor ever will in the duke's territories, whilst so many countries equally good in soil and air, surrounded with greater freedom and security. Whereas if the duke please to make all planters easy and safe in their liberty and property, such a just and free government will draw in other places, encourage persons to transplant into his country, and his disbursements will soon be at an end ; his revenues with satisfaction to the people, presently visibly augmented. Next this encourages shipping and seamen, which not only takes off abundance of idle people, but our native growth and manufac-

ture, and the export of them; and the import of the produce of these plantations, in a little time overflow and advance the revenue of the crown. Virginia and Barbadoes are proofs undeniable in the case."

This remonstrance procured redress; the commissioners were obliged to pronounce judgment in conformity with the opinion of Sir William Jones, that the legality of the taxes could not be defended.

Thus the unqualified assertion, that no taxes could be justly imposed upon them without their consent, was triumphantly asserted by the settlers of New Jersey in 1680. Next year 1681 the first representative assembly of West Jersey, was convened by Samuel Jennings. They enacted a code of *fundamental constitutions*, by which they were empowered to appoint and displace all persons holding offices. The governour was precluded from any act obligatory on the people, without the concurrence of their representatives, and from withholding his assent from their enactments. In all criminal cases, (except treason, murder, and theft,) the party aggrieved had power to pardon the offender, before and after condemnation. Landed property was made responsible for debt. Marriages were to be solemnized by justices of the peace. The sale of spirituous liquors to Indians was prohibited. Indented servants or redemptioners, were entitled, at the expiration of their time, to a set of implements of husbandry, ten bushels of corn, and a suit of clothes. No new settler was to be admitted, without satisfactory evidence of harmless character and sober life.

The assembly met annually, until the end of the proprietary government.

In 1681, Sir George Carteret's heirs or executors, offered East Jersey for sale, and William Penn, and eleven Quakers, 1682 purchased it in 1682.* The population was then about four thousand, a majority not Quakers. The first twelve, soon admitted twelve others, among them the Earl of Perth, Chancellor of Scotland, and Lord Drummond of Gilston, secretary of state for Scotland. In favour of the twenty four, the Duke of York ex-

* Sir George Carteret dying in 1679, ordered the province of East Jersey to be sold to pay his debts, and William Penn with eleven others, purchased it. They added twelve others, making twenty-four, to whom the Duke renewed the grant in 1682, and they were established as a council of proprietors, with power to appoint all officers necessary for the management of their property.

Shortly after, the persecution of the Presbyterians in Scotland, drove many to take refuge in New Jersey. The tyranny of James II and Landerdale, filled the jails and gibbets with conscientious religionists: they were hunted like wild beasts by the soldiers, and many, who did not fly volutarily to America, were transported thither, and sold as slaves.

ecuted his third and last grant of East Jersey, and they appointed a council, to whom all the functions of the proprietary power were entrusted.

We have seen that from Long Island, some of the towns of East Jersey were settled. Others, English or New England-men came from the eastern provinces. Some laws of this government are supposed to come from New England. Children striking or cursing their parents, were liable to the punishment of death: adulteries, to flogging or banishment: fornication, to fine, flogging, or marriage: a thief was adjudged to restore three fold the value stolen, for the first offence; for frequent repetition, death or *slavery* was the punishment. There was no law for the publick support of religion, but the people of most townships had their ministers, and were generally sober, industrious, and thriving. Some years after it appears, that it was necessary to interdict the wearing of swords, pistols, or daggers.*

Governour Philip Carteret directed in his will, dated December 10th, 1682, that his body, after death, should be deposited, if permission should be obtained, in the vault of Governour Stephenson, (as Stuyvesant was frequently spelt by the English of those days,) in the Bowery: otherwise liberty to be purchased to deposit it in the church at New York. His will is deposited in the eastern proprietors office. Where were his earthly remains placed?

1683 Robert Barclay was among the proprietors of East Jersey, and in 1683, was chosen governour. He was a Scotch gentleman, born at Urie: converted to Quakerism, he wrote in its defence his famous apology. He was in favour with Charles and James, perhaps for the same cause that they favoured Penn. Grahame remarks, that it appears, as a moral phenomenon, that such men as Barclay and Penn, the votaries of universal toleration and philanthropy, should be found voluntarily associating in their labours for the happiness of an infant community, such instruments as Lord Perth, and other abettors of royal tyranny and ecclesiastical persecution in Scotland. Yet, Barclay addressed a noble admonition to Charles, where he says, after reminding him of his prosperity after adversity; "If after all these warnings and advertisements, thou dost not turn unto the Lord with all thy heart, but forget him who remembered thee in thy distress, and give thyself up to follow lust and vanity, surely great will be thy condemnation." Charles probably made a jest of this admonition, as we know the base and loathsome character of this slave to vice, and pensioner of France.

* See S. Smith's, Hist. of New Jersey.

Many Scotch, Quakers, and others, emigrated from Barclay's native county of Aberdeen, to East Jersey during his government.*

James II. having ascended the throne, thought it beneath the king to be tied by the engagements of the duke, and he unceremoniously introduced New Jersey in his plan of annulling the charters 1686 of the American colonies, and in 1686, writs of *quo warranto* were issued against both East and West Jersey. The proprietors of East Jersey presented a memorial to the king, in which they reminded him, that they had not received the grant of the province as a benevolence, but had bought it : and had been encouraged to make the purchase by assurances received from himself. The only answer they received from his most gracious majesty was, that he was determined to unite both East and West Jersey with New York, and the New England provinces, in one general government, dependant on the crown, and to be administered by Sir Edmund Andros.

1688 It appears, that the proprietors made no resistance, but abandoned the rights of the people, offering a formal surrender of their patent, on condition that their own private property in the colonial soil, should be secured to them—but which business was in an unfinished state, when the tyrant was driven from the throne, and the people of New Jersey continued for a time longer, to govern themselves.

1692 The original proprietors of New Jersey had, by the year 1692, sold out: the government fell into weak or corrupt hands, and encouraged by William III., the governour and council of New York attempted to revive the old pretension of raising a revenue in the sister colony. The inhabitants were included in a tax laid upon those of New York. This was resisted, and with the same success as on the former occasion. New Jersey complained, and the lawyers to whom the case was referred, (Sir John Hawles, and Sir Creswell Levinz,) declared, that “no customs could be imposed on the people of the Jerseys, otherwise than by an act of parliament, or their own assembly.” Thus, although the pretension of the governour of New York was defeated, a right in the English parliament was set up over these colonists for the first time.

Dissentions between different proprietors, and between them and the people, grew to such a height in the succeeding years, that the proprietors listened to the English ministers, (who to quiet the complaints made, and to increase the influence of the crown,

* For particulars see S. Smith.

made overtures to them) and surrendered their powers of government. This was finally arranged at the commencement of the reign of Anne, and she sent her hopeful cousin, Edward Hyde, Lord Cornbury, to govern and oppress both the Jerseys, and New York.

1702 At this time New Jersey is supposed to have had a population of from 15,000 to 20,000; Swedes, Dutch, Scotch, and English, keeping for a long time their distinctive characters. Kalm, the Swedish botanist, who found here the beautiful flower named by him, *Kalmia*, and amused himself with the wry faces his servants made on biting a *persimmon*, gives us a favourable description of his American countrymen.*

The Dutch near the Hudson, are still Dutch, in language, sober industrious habits, and primitive dress; the descendants of the Scotch, are only distinguishable from the English, as being less like the New Englanders. All were united by similarity of occupation, moral conduct, and a desire for a settled government, which they fondly hoped was obtained by the union in 1702, and the arrival of Cornbury; for even his vices and despicable conduct, did not tend to divide the people, but rather engendered an universal spirit of resistance to foreign government, which grew and produced fruit in 1775. New Jersey had imbibed a love of liberty, from the early form of government, planted by the first settlers.

The surrender was made by an instrument,† headed thus: “Surrender from the proprietors of East and West New Jersey, of their pretended right of government to her majesty.” This and some passages in the instrument evince a pitiable deterioration from the spirit of the first proprietors.

The instructions to Cornbury,‡ are drawn up carefully and with a view principally, to the interest of the mother country, at the same time, seeming to guard against the vices of the government. Slaves and slavery are recognized—Christian servants are to be armed and mustered in the militia—Quakers are exempted from oaths, and their affirmation admitted, and they are eligible to office—his *utmost endeavours* are to be used with the assembly, that an act be passed for raising and settling a publick revenue, for defraying charges of the government of the province, and a competent salary for himself, as well as all other officers—he is not to come to Europe or otherwise leave his government, (of the two provinces) without leave from the queen—he is impowered to impress seamen

* See Kalm.

† See Smith's history of New Jersey, p. 211.

‡ Ibid, pp. 230 to 261.

for English ships of war, but as complaints had been made, that captives of such ships had, at their pleasure, made impressments, they are not to be permitted, but on application to him—he is Vice Admiral, under Anne's husband, Prince George of Denmark.) and is to send any captain who disobeys him, to said "dearest husband"—the acts of trade and navigation are to be strictly put in execution—he is to "take especial care, that God Almighty, be devoutly and duly served throughout his government, the book of common prayer (as by law established) read each Sunday, and holy day, and the blessed sacrament administered, according to the rites of the church of England." Churches are to be built, and a competent maintenance assigned to the minister of each orthodox church, and a convenient house built for him, with a glebe or proportion of land. This is to be at the *common charge*: this means, that all the inhabitants, Quakers, Presbyterians, Dutch and Swedes, Scotch and English, are to maintain the minister of the church of England. The ministers are not to be preferred without a certificate from the Bishop of London. If any minister within his government, preaches or administers the sacrament, without being in due orders, the governor is to inform the said Bishop thereof.—My Lord Cornbury is to discourage immorality, but is especially charged to ENCOURAGE "the Royal African Company," instituted for the purpose of stealing, kidnapping, and buying negroes from those encouraged to kidnap them, and for carrying them in chains to the plantations: and "that the said province may have a constant, and sufficient supply of *merchantable negroes* at moderate rates, he is to take care that payment be duly made" to these kidnappers. This is included in the service of God Almighty. The governor is to endeavour to get a law passed to prevent inhuman cruelty towards "Christian servants and *slaves*," and against the wilful killing "of Indians and negroes," which is to be made punishable with death: and maiming, to be punished by a fit penalty. He is to find out the best means to facilitate and encourage the conversion of negroes and Indians, to the Christian religion. He is to provide for the *raising of Stocks* and building of publick work-houses, "for the employment of poor and indigent people." He is to encourage the Indians to trade with England, rather than with any other country or nation. He is to dispose the assembly of New Jersey, to raise supplies for the defence of the province of New York. He is to prevent any person *keeping a printing press*, for printing, and no *book, pamphlet, or other matter whatsoever*, is to be printed, without his especial leave and license first obtained."

James Grahame, considers the commission and instructions given to Cornbury, "an abstract of the political state of New Jersey, from the resumption of its charter, till the termination of its connexion with the British Empire."

The government was to consist of a governour and twelve counsellors nominated by the crown, and a house of assembly, consisting of twenty-four members elected by the people, qualified by possessing an hundred acres of land, or personal property to the value of fifty pounds.

The laws enacted by the assembly were subject to the negative of the governour: but if approved by him, were to be transmitted to England for confirmation, or the contrary.

In 1695, the governour's salary in East Jersey was £150, in West £200. After 1702, the salary of the governour (of both united) was £600.* As Smith mentions this sum, I conclude it was provincial currency. When Lewis Morris was governour, the salary was raised to £1,000.

The sessions of the assembly were to be held alternately at Perth Amboy, in East Jersey, and Burlington, in West Jersey.

The arbitrary rule of Cornbury I have mentioned elsewhere. Notwithstanding his notorious vices, he prevailed upon some of his counsellors, appointed by the crown, to subscribe an address to himself, beginning thus: "Your lordship has not one virtue or more, but a complete accomplishment of all perfections, and expressing" says Grahame, "the most loyal abhorrence of the factious stubbornness of their fellow subjects." And this was received by

the ministry for a time as sufficient testimony to prevent the 1708 effects of the complaints made against him. He was superseded in 1708, by Lovelace. As a comment on on whom, I may quote Oldmixon's words. "I confess it gives me a great deal of pain in writing this history, to see what sort of governours I meet with in the plantations."

Manufactures were discouraged by the English government. Education was not in a flourishing state: yet Princeton College was founded in 1738.

In 1677, the beautiful town of Burlington on the banks of the Delaware, was established by English emigrants from London and from Yorkshire, who agreed upon this spot, and laying out the main street directly from the river—the Londoners taking ten lots on the west side, and the Yorkshiremen the same number on the east. It was first called New Beverley, then Bridlington, and finally Burlington.

In 1683 a town was laid out on the point of land which is situated at the mouth of the Raritan, having that river to the south-west, and the sound, called Arthur Kull, dividing it from Staten Island on the north-west. This beautiful situation, having a harbour for large ships, overlooks the point of Staten Island, and gives a view

* See S. Smith's Hist. of New Jersey.

of the Great Bay, Sandy Hook, the Highlands of Neversink and the hills of Monmouth.

Gawin Lawrie arrived as deputy-governour of East Jersey under Robert Barclay, in 1683, and pitched upon this point for the capital. It was called originally Amboge, as may be seen by old records ; shortly after, Ambo Point, and when in compliment to the Earl of Perth, one of the second set of proprietors, the town was named, the original Amboge was changed to Amboy, and the city called Perth Amboy.

Lawrie, writing to a friend in Britain, says : “ There is no such place in England, for conveniency and pleasant situation.” He says, he has laid out “ a place for a market, with cross streets from the river ” where the town houses are to be built. “ I engage all to build a house of thirty feet long, and eighteen broad, and eighteen feet to the raising. I have laid out forty or fifty acres for the governour’s house.”

The proprietors of New Jersey established universal freedom of religious worship. The government and church of England sent out missionaries to that province ; the first who arrived was Edward Perltinch : the people of Perth Amboy fitted up a house for public Episcopal worship : this was near the gate of the dwelling-place now owned (1840) by Mr. Andrew Bell. The site of this first place of publick worship was long marked by a hollow which had been the cellar, and in that hollow grew a cherry-tree. This was on the church-lot.

According to the original plan, the city of Perth Amboy was divided into 150 lots, each of ten acres : the price to those who first purchased was £15 sterling ; and one year after it was raised to £20. Four acres were reserved for a market square. Gawin Lawrie gave the plan for a regular town.

MISCELLANEOUS MATTER.*

I HAVE given the unsuccessful negotiations of Governour Stuyvesant to prevent the New England encroachments in the settlement of Westchester; but the Dutch did not confine their efforts to self-preservation (or at least preservation of their territory) to mere negotiation—they resisted the intruders, and at length carried off twenty-three persons to Fort Amsterdam, and there held them prisoners. They were, however, dismissed by the governour, on submitting to his jurisdiction, or removing. When Nicolls arrived at Westchester, they complained to him; but were, of course, adjudged to belong to New York. At this period, Carr and Cartwright, took possession of Albany for Nicolls, and concluded a treaty with certain chiefs of the Mohawks and Senecas, by which it was stipulated, that the English should furnish to the Iroquois, all such articles as the Dutch had done; and should punish any Englishman who behaved ill to the Indians, they agreeing to do the same by their people. The English commanders likewise agreed, to conclude a peace for the Iroquois with the Indians on the river and on Manhattan Island.

Of the changes that have taken place on our shores by the influence of the sea, most people are aware. It is stated, that "Coney Island proper," lay at the entrance of the Narrows, and was separated from the Island now called by that name, a channel intervening. Who shall say, that when Verrazzano entered within Sandy Hook, he did not find in Amboy Bay, five small islands? It is certain that Nutten, or Governour's Island, was almost within the memory of man, part of Long Island, insomuch that at low water the

* The author had collected a great mass of materials for his work, which could not properly be introduced as part of the text, but yet were too important, or interesting, or curious to be overlooked. These principally consist of abstracts from records and other authentick documents in the possession of the Corporation of the City of New York, to which the writer was in the kindest manner permitted unrestricted access. There are other extracts from files of cotemporary newspapers, which are probably now only to be found in the libraries of publick institutions. The collections of the author extend from before the year 1669 to the period, and after, when his history was to be concluded. This collection is contained in upwards of 300 close written pages of foolscap. The writer had evidently arranged the first part of these abstracts for the purpose of "An Appendix of Miscellaneous Matter," with the design of introducing such interesting subjects as would not swell out the work to an inconvenient extent. The Editor has endeavoured out of this treasure, to select the pieces most valuable—although if the whole were to be published, very little would be found either uninteresting or uninteresting.

cattle passed and repassed. A ship channel now separates the two islands. On the other hand, in 1643, Gravesend had a good harbour for shipping, which is now meadow land.

The trade of Long Island was among the people themselves by exchange of commodity or barter. Land, as well as every thing else, was paid for in produce. The herdsman who attended the cattle of the town was paid in butter, wheat and corn. The minister of East Hampton had £60 a year "in such pay as men raise, as it passes from man to man." And the people of Newtown gave William Leveredge their minister, annually, 40s. a piece, to be paid half in corn and half in cattle ;" and thus of every service performed, or debt adjudged to be paid. Stock and produce were estimated by assessors, and Mr. Wood gives the prices as fixed in 1665 and 1679. This practice continued until 1700, when money became more plenty.

Of the Indians of Long Island the Montauks appear to have been the principal, and their name is perpetuated by the appellation of the extreme eastern point of the Island. They were, however, subject to the Pequots of New England, and perhaps to the Iroquois of New York. In 1643 the Montauks and neighbouring tribes put themselves under the protection and government of the Commissioners of the United Colonies, and a sachem of the Montauks was made chief of the Long Island Indians. In 1654 the Narragansetts invaded the Montauks, and the whole tribe would have been extirpated but for the protection of the settlers of East Hampton.

It being found inconvenient that the town and county rates should as heretofore be paid in beef, pork, etc., Nicolls ordered the towns to meet and send in the combined rates, as no more beef, pork, etc., would be received.

William Smith* says that at the time of the surrender to Nicolls, New York "consisted of several small streets, laid out in the year 1656." We know that the fort was on an eminence overlooking the bay on the side of approach from the sea, and the town on the land side. It was a square, with four bastions; the outer and lower wall was of stone. Within the fort were the governour's house, secretary's office, the church, and barracks for the garrison.

In 1653, Governour Stuyvesant raised the wall composed of stones and earth, surmounted by palisadoes, which extended from water to water, about the site of the present Wall street. It had two gates: the water gate, near the present Pearl street, then close on the East river, and the land gate, on the high ground, now Broadway.

* History of New York, Vol. I, p. 32.

A Dutch memorial states the population of the province at 6,000.

The city is supposed to have contained 3,000.

1669 When Governour Lovelace required aid from Long Island to fortify New York, it was refused "unless the people might have the privileges which others of his majesty's subjects in these parts enjoyed." Evidently meaning by "his majesty's subjects" the people of New England. These proceedings were pronounced "scandalous, illegal, and seditious." The governour and council ordered the paper demanding these rights (which had been promised in fact by Nicolls) to be burned before the Town house.

We have seen (vol. 1., p. 127.) that Mr. Bedlow was one of the governour's council. The island which is now called by his name, once had the name of "Love Island," and subsequently the more appropriate one of "Oyster Island." In 1669, by request of Mr. Bedlow, it was made a place of privilege from warrant of arrest.

We find an order from Governour Lovelace and council, dated January 28th, 1669, for the transportation of Marcus Jacobs, or Jacobson, called the *Long Finn*, to Barbadoes, there to be sold for a servant to the best advantage. He had been imprisoned a month in New York. Marcus has not printed his autobiography, or perhaps he would appear a patriot hero. As his enemies say, he was an imposter and a rebel, assuming the name of a distinguished Swede, and opposing the legal government of England in Delaware Bay. He was tried by a special commission, as Leisler afterwards was, that is, by those who had determined to destroy him. He was sentenced to death, but *mercifully* the sentence was changed to whipping, branding, imprisonment, transportation, and slavery.

March 24th, 1669, Governour Lovelace established by order a time and place for merchants to meet. The time was to be on Fridays, between the hours of eleven and twelve, at present *near the bridge*. The bridge was a planked walk over a part of the canal near the foot of Broad street. This canal or sewer had formerly been the creek leading from the bay to near the present Custom-house, that is, to the foot of the hill called by the Dutch Verlettenberg, and long after by the English, Flattenbarrack Hill. *Berg* is in itself *hill*, and *verletten* is *to stop*. Thus the hill was called the stopping-hill, or the termination of the tide water; and here was the Ferry house.

When Lovelace fixed the time of meeting for the merchants, he ordered the mayor to take care that they be not disturbed; and the ringing of a bell denoted the times of congregating and dispersing. In afterdays, a building was erected on this spot, called the *Exchange*.

1670 It is believed that Pauw, one of the first patroons, purchased Staten Island from the Indians; but in 1651 it was

again purchased from them by Augustine Herman, on the 6th of December ; notwithstanding which, and another sale made to the Dutch in 1657, certain Indian sachems claimed the whole or, a greater part of it, from the governour and council, in 1670. Lovelace appealed to the old sales, but the Indians said the Dutch had not paid them in full, and they now demanded an addition of six hundred fathoms of wampum, but finally agreed to receive four hundred, together with a number of guns, axes, kettles, and watchcoats. The governour and council came to an agreement with them on the 9th of April, 1670, by which, on receiving payment, they promised to abandon the island. On the 13th, they were satisfied, and on the 1st of May they formally delivered up the island to Mr. Thomas Lovelace and Mr. Matthias Nicolls, who were deputed by the governour. Yet, Nathaniel Sylvester is represented in a publick instrument of the government, in 1672, July 5th, as the owner of the island.

In July of this year, (1670,) Catharine Harrison, a native of England, (who lived nineteen years at Weathersfield, in Connecticut, where she had been tried for witchcraft, found guilty by the jury, acquitted by the bench, and released out of prison upon condition that she would remove) appeared before the council on the accusation of Thomas Hunt and Edward Waters, in behalf of the town of Westchester, they praying that she might be driven from the town. This affair was adjourned to the 24th August, when being heard, it was referred to the general court of assizes—the woman being ordered to give security for good behaviour.

In Albany, the excise on beer was farmed out to Delavall, the mayor, for 7,800 guilders.

There were three companies of militia at the city of New York, and when Governour Lovelace went to Delaware, he ordered out twenty horse, to escort him.

Lovelace being applied to for a bill of divorce, which a court had declared beyond their powers, he, in council, decreed that “it being conformable to the laws of this government as well as to the practice of the civil law and the laws of our nation of England,” the marriage should be dissolved, on proof of the wife’s adultery.

1671 The governments of New York and New Jersey, made preparations for a war with the Indians of the latter province, in consequence of two murders committed on whites, who lived upon the Little Island in the Delaware, lying between Burlington and Bristol. But the Indian sachems, disowned participation in the act, and proved it by ordering the death of the murderer. He was a young man, who in a fit of grief or frenzy, occasioned by the death of his sister by sickness, had committed this deed, and on being informed that the sachems ordered his death, covered his eyes with his hands, saying, “kill me.” The Indian

sent with the message, immediately shot him. The English hung his body in chains, and gave the sachems five matchcoats.

In June this year, Sir William Berkeley, governour of Virginia, returned thanks to God, that there were neither free schools nor printing in the colony. "God keep us from both." Agreeably to this sentiment of the good old times, when Lord Effingham was appointed governour of Virginia, he was ordered by the English government, "to allow no person to use a printing press on any occasion whatever." This order was in 1683. Evelyn testifies that in 1670, there were fears that the New England plantations would break from all dependance on England. The prosperity of the colonies was a constant source of jealousy to England, and to make profit by engrossing their trade was the great object of English legislation, in respect to them.

The books of the council give as the yearly charge to the town of Albany for officers—to the minister, 125 beavers, "at thirty guilders or stuyvers" the beaver. The secretary 600 guilders: the recorder 400.

The governour commissioned an Indian to be *sachem* of the *Shinnacocks*: and he commissioned an Indian as constable among the *Shinnacocks*.

Samuel Drisius, the Dutch minister of the city, applied to the governour and council, December the 5th, 1671, to have two years arrears of salary made good: they determined that as he had been sick one year of the time, they would only pay him one year, and accordingly, ordered £100 to be paid him. And they recommend to the elders and deacons of the church, that if it should not be thought sufficient, they will by some means help him further, and for the future his salary go on as before.

1672 Henry Roonboome the Dutch sexton at Albany, applies to the governour and council, that he might have liberty to bury Lutherans and all there. Ordered, that since the Lutherans have a toleration for their religion, they may bury their own dead.

"Ordered by the court of assizes, "that a good piece of eight of Spanish coin of Mexico, Sevil, or Pillar, be valued and go for six shillings."

Gardner's Island, had been called the *Isle of Wight* by the English, and by the Indians *Manchouack*. It appears, that David Gardner (son of Lyon) in 1665, received a patent from Nicolls, in which was stipulated, that he should pay a yearly rent of five pounds, but Gardner petitioned Lovelace, in September, 1670, to have the above rent remitted. Accordingly, the governour remitted it, and in lieu, ordered a lamb (if demanded) to be paid on the 1st of May, yearly, forever. About this time governour Lovelace purchased Staten Island.

On the 12th of October, 1672, Lovelace *elected out of the persons nominated by the mayor and aldermen* then in office, Mr. John Lawrence to be mayor for the coming year, Cornelius Van Ruyven to be deputy-mayor, and Messrs. Isaac Bedlow, Johannes Depeyster, William Darvall, and Francis Romouts, to be aldermen. Mr. Matthias Nicolls, the mayor for 1672, on "taking lease of the bench," recommended that certain days be appointed for holding the court, with other regulations: and that "Mr. Charleton may be admitted to continue his schoole in the state-house." By the influence of Mr. Matthias Nicolls, it was ordered that no person arrested, should be detained in prison, any longer than the next ensuing court day, and then to have a hearing, or else be released. The court allowed to Peter Schielein, as a gift for this present year, "above his former salary, the sum of fifty guilders, provided it be laid out in cloaths."

In 1672 the number of militia in the province was 2000—number of inhabitants 10 or 12,000. In 1686 this number was doubled. Militia 4000 foot, 300 horse, and a company of dragoons. Regular troops, a company at New York, and one at Albany. New York had a fort of 46 guns. A small fort at Albany of palisades, was the defence of that place.

Negro slaves were brought from Barbadoes and exchanged for the necessaries of life. Twenty-four villages divided into six circuits constituted the province. Sixty thousand bushels of wheat were now annually exported: other produce was peas, tobacco, carpenter's wood, and nut wood. Already tar and pitch were made. Beef, pork, horses, were also exported, and the traders received much fur from the Indians. The imports were manufactures of all kinds. Woollen blankets and other articles for the Indians, the trade with whom was carried on at Albany, to the amount of £50,000 per annum. Yet a merchant possessed of £1000, or even £500, was accounted rich. The moveable property of the merchants and landholders was estimated at £150,000. Trade was carried on in ten or fifteen vessels of 100 tons, belonging to Europe, New England, and New York. Of the latter, six small vessels were all. A hogshead of tobacco paid a tax of £25, and one of beaver skins £15: other articles exported free: 2 per cent. was paid on imports, and 3 per cent. on the Indian trade. Dealers in spirits paid a higher duty and for a license. There were many sects, but few supported ministers. The Presbyterians and Independents were the richest. Jews were tolerated.

October 23d.—At a special court of the mayor, John Lawrence and Aldermen Van Ruyven, Depeyster and Darvall:—Messrs. Johannes Van Brugh, Jeronymus Ebburgh, Jacob Leisler, and Nicholas Bayard, or in his absence Gelyne Verplank, were ap-

pointed to examine a certain claim made by Jaques Cousseau. In the next record Jacob's name is written *Leislær*.

October 26th.—In the mayor's court the first cause is recorded in Dutch, the others in English. Anna Wessels demands for a debt to her, from Rymer Van der Coote, that Symon Hawkes, the servant of Rymer Van der Coote, may be condemned to serve out the remainder of his time for said debt. Hawkes says, that Rymer Van der Coote, paid 450 guilders for him, which he was to work out "by said Van der Coote." Gelyn Verplanck and Thomas Taylor appointed constables for a year.

November 6th.—By the order of Governour Francis Lovelace, the following ordinances are published from the State-house. "Concerning the prosecution of servants with hue and cryes at the publick charge." 2d—"Touching the killing of wolves." 3rd—"That no stranger or person unknown, should travel within this government without a passport whence he came." A law for the observing of the Sabbath, passed in 1665, renewed. *Nicholas Bayard* at this time vendue master.

December 3d.—The sheriff brings Thomas Crancon, a carman, into court, for "uttering of [here a word occurs in the record which I cannot decipher,] language, and bad speaches against Mr. Pell, Mr. Atwood, and others of the inhabitants." The carman confessed, and promised better behaviour: "the court passed by his error, but ordered him *not to suffer his daughter to go any more in the cart*; but he himself to attend the *Kart*, or put an able person in his stead." A man coming into court states that in compliance with their order, he had kept the peace and in no manner molested his wife, and therefore, requested that his wife should be ordered to come and live with him, he promising to behave himself. She is sent for, but declares that she had tried him so often and been deceived, that she "would rather dye than be brought to it again." But the court determined that being lawfully married, and no just cause of separation, they do live together as man and wife.

1673 April 8th.—Upon information given to the Mayor's Court, the court ordered that William Pamer shall make appear to Mr. Mayor before next court day, how he was married, and by what means he came by this wyfe.

May 6th.—The court adjudged a man to pay £6 Boston silver, or the value thereof in wheat: the wheat at the price of 3s. 6d. per bushel.

May 28th.—A man swears to the agreement between Peter Bennett and Jean Le Roux. Bennett was the captain of a vessel sailing from London, and she engaged to pay for the passage of herself and four children to New York, each the sum of £8 sterling on arrival; and if the said Jean could not procure the money in

six weeks, "the said four children should be at the disposal of the said Bennett for to be sold or disposed of at his pleasure." The court ordered accordingly, that she should pay £8 sterling per head. Nothing is said of the power given to the captain over the children. But June 20th, Jacob Leisler came forward in behalf of this poor woman, and tendered the amount, £40 sterling "in this country pay," and the payment was made by agreement in merchandise and produce.

Some attempts were made to *get up* witchcraft, but they failed. The mayor and citizens did military duty, parading before the City hall, at Coenties slip, and holding guard at the fort, after locking the city gates, (on Wall street.) The fort was on a mound, terminating precipitously in a bluff on the south point of the island, and so remained till 1789, or after. The governour and council proclaimed that instead of eight white and four black wampums, six white and three black should be equal to a stiver or penny, (I presume a penny sterling.) The white wampum was worked out of the inside of the conque, and the black (or purple) out of the mussel or the clam shell.

Coenties slip was so called from *Coenradt Ten Eyck*—Coenties being the familiar equivalent for Coenradt.

1674 In the year 1674, John Gerrits was thrown into prison for pretending to extraordinary sanctity, and endeavouring to impose on the people. And Peter Ebbet was taken up on a warrant, for reporting that he had seen sights and visions in the city, and causing publick uneasiness. There were Indian alarms, and block-houses were ordered. The Quakers were fined for not doing military duty. The Long Island sachems came to New York and gave Andros assurances of friendship; but it appears that the Indians had been disarmed, and traffick had been forbidden with the Long Island Indians by the court of assizes. On the 18th of September, arms were restored to the Indians of East Hampton and Shelter Island, on account of good behaviour; but in October, they were again disarmed.

1675 Orders made at the general court of assizes in New York, beginning the 6th and ending the 13th of October, in the 27th year of his majesty's reign, 1675. In consideration of the mischief happening from carrying liquors and goods to trade with the Indians at their plantations, where, in case of disorders "small releefe cann bee expected," it is ordered, that the law be observed, which prohibits strong liquors to the Indians in New Yorke schire, upon Long Island, and dependencies—and the constables are to take care that no powder or lead be sold to the Indians "but by them as directed, or by their consents." The governour's proclamation about block-houses is to be observed. Resolved, that all canoes belonging to Christians or Indians on the North side of

Long Island, to the East of Hellgate, shall be (within three days from the publication of this order,) brought to the next townes and delivered to the constables, to be secured near their block-house. And any canoe found upon the sound after that time, be destroyed.* That the Indyans at Mr. Pell's or Anne Hook's Neck, be ordered to remove to their *usual winter quarters*, within Hellgate upon this Island. English weights and measures ordered, and others prohibited. This being a time of scarcity, corn and flower not to be exported. Ordered, that all persons having horses on Long Island, do within six months, prove their horses before the constables and overseers, etc., and such as shall be found unmarked (according to law) shall be forfeited, the one half to his Royal Highness, the other to the town. No person to presume to mark a horse or colt, but before a constable or overseer. Those on Long Island who have estates from £20 to 100, may keepe one breeding mare and no more, and so for every £100; but may have as many working horses as he shall have occasion for, and double the number in the woods. That every single person, though of but £20 estate, may keep one horse at home, and in the woods proportionably. Regulations made for the oil casks, at the East end of Long Island in the towns, "*where the whaling designe is followed.*" Ordered, that besides the usual county rate for maintenance of ministers, "there shall be a double rate levyed upon on all those towns that have not already a sufficient maintenance for a minister." Ordered, that after this season, there shall be a fair or market yearly "at Breuklyn, near the ferry for graine, cattle, or other produce, to be held the first Monday, Tuesday, and Wednesday, of November; and in the city of New York, the Thursday, Friday, and Saturday, following." Ordered, that in case of a "war with the Indians in this government (which God forbid)—one or more rates shall be levyed." Ordered, that the magistrates "do justice to the Indyans, as well as Christians." "That by reason of the separation by water, Staten Island shall have jurisdiction by itself, and have no further dependance on the courts of Long Island, nor on their militia." Signed—Matthias Nicolls, Secretary.

October 30th, 1675, it is ordered, that all persons who have not complied with the proclamation of the 13th of March, 1674, requiring all to take the oath of allegiance to his majesty's government, within his Royal Highness's government, etc., shall appear at the City Hall, on Wednesday, the 24th of November next, by nine of the clock, in the morning, at the third ringing of the bell to take said oath: a special sessions to be held for that

* This order is said to have been made to prevent the Indians of Long Island joining King Philip against New England.

purpose. The proclamation above alluded to, is set forth, and begins—"Whereas there has been a change of government."

December 30th.—The deputy mayor and aldermen, prohibit the firing of "pistells and other gunns" on New Year's day, and at the same time, order all persons to clean their doors.

1676 January 11th.—Orders to be observed by the constable, watch, and citizens souldiers, in the city of New York. "That the watch be sett every night by eight o'clock; immediately after the ringing of the bell. That the city-gates be locked up by the constable or deputy, before nine of the clock, and opened in the morning presently after day-light, at the dismissal of the watch: and if any person goes from, or absent himself without consent, hee, or they, shall forfeit for every such default, ten guilders." That the sergeant or corporall of the watch, shall at all times, succeed the deputy constables on the watch for the execution thereof. That if any one come upon the watch overcharged with drink, he shall pay two guilders: but if abusive or quite drunk, he is to pay the same as if he absented himself, four guilders. If any person shall quarrel "upon the watch on account of being of different nations" or other pretence, he shall pay four guilders. Any centinel leaving his post before he is relieved, shall pay twenty guilders, and suffer three days imprisonment. The centinel to stand on his post one hour. That frequent rounds about the city be made, especially towards the bridge. No curseing and swering shall be allowed upon the watch: nor any gaminge at dice or cards, nor any exercise of drinkege, upon the penalty of four guilders. That a list of the fines be brought by the *provost* unto the mayor. "The sergeant belonging to every watch shall come with his halbert; and see that every one of the watch bring his arms, that is to say, his sword and good half pike." Every head of family to have "one good musket or firelock, with six charges of powder and six of ball at least, on penalty of four guilders for the first offence, eight for the second, and twelve for the third; and the officers of each county are to search four times a yeare. The citizens souldiers are to appear with good armes before their captain's coullers, at the first beating of the drum. Penalty for non-appearance, thirty guilders—for deficient armes, ten."

January 20th.—Ordered, by the mayor and aldermen, that all masters of vessels arriving at New York, as soon as they shall come ashore, give an account to the mayor of all and every passenger; penalty for neglect, "*A merchandable bever.*" Ordered, that no person shall sell any goods, wares, etc., by retail, on pain of forfeiture, unless he be a freeman, or made free, or burgher of this city, or settled house-keeper: unless by special license from the mayor, etc., with approbation of the governour. Any person departing the city, unless "he keep fire and candle light, and pay scott and lott," shall lose his freedom; and every merchant here-

after to be made free, shall pay for the same six bevers—and handicraft trades and others, to pay two bevers for being made free.—“Ordered, that all persons, that keep publick-houses, shall sell beere as well as wyn and other liquors, and keep lodging for strangers,” dated, 20th January—Samuel Leeth, Clarke.

April 14, proclaimed.—That every merchant trading at this place, “before the New Docke or warfe (intended to be buildt) shall bee finished and paid for, shall pay proportionably for his estate, the same as the inhabitants and other traders here, towards the building of the same,” 15th April, “allowed by the governour, and forthwith to be put in execution.”

Proposals by the mayor and aldermen, presented to his honour, the governour. “That there be six houses appointed to sell all sorts of wine, brandy, and rum, and lodging. That there be eight houses appointed to sell beere, syder, mum, and rum, and to provide for strangers as the law directs, to sell brandy, rum, and strong waters, and tobacco. That two of the wine houses be ordinariyes : and four of the beere-houses.” The prices of wines and other liquors as they are to be sold, *by the tappers*. French wines 1s. 3d. per quart. Fayal wines and St. Georges, 1s. 6d. Madera wines and Portaport, 1s. 10d. Canaryes, Bresados, and Malagoes, 2s. per quart. Brandy, 6d. per gill. Rum, 3d. per gill. Syder, 4d. per quart. Double beere, 3d. per quart. Mum, 6d. per quart. The ordinary at wine-house, 1s. per meal; at beere-houses, 8d. per meal. Lodging at the wine-house, 4d. per night; at the beere-house, 3d. per night.

Proclamation was made by the governour, Edward Andros, February 3d, that a weekly market should be held every Saturday, at the house built for that purpose “by the water side, near the bridge,” i. e. at the foot of Broad street. The first market to be held March 24th. And a fair to be held at “Breuklyn” for cattle, grain, and country produce, the first Monday, Tuesday, and Wednesday, in November; “and in the citty at the market-house and *plaine afore the fort*, the Thursday, Friday, and Saturday following.” All persons coming thereto, are to be free from any arrest for debt “coming or returning from the said market or fayre.” This proclamation to remain in force three years from the 24th of March next.

Matthew Hillyer petitions the common council, and says that he hath kept school for children of both sexes, for two years past, to the satisfaction of their parents; but as he understands complaints have been made to the mayor, etc., of some neglects, he wishes to inform them that the occasion of these neglects was the want of a convenient house wherein he might be settled, “and not be trobled with so often removals.” “But your petitioner understanding of an obstruction, by a person lately arrived, who endeavours the circum-

venting of your petitioner, and reape the fruits of his labours, of which likewise your petitioner has fully informed his honour, who is by the petitioner's humble request pleased to ordering of a school and master to your worships pleasure, giving your petitioner hopes and encouragement that by your worship's wisdom, things may be better regulated." And he requests that he may be established in his employ, in which, with the help of God, he doubts not he shall give their worships satisfaction.

August 25th.—Upon the petitions of Ebenezer Kirtland and Matthew Hillyar, "it is ordered that Matthew Hillyar continue in the same," the schoolmaster's office, "in behaving himself for the future better than the time past: and instead of £12 the annum, according to former order, is only to have a roome provided for him."

The court choose two tanners, and forbid all others to exercise the trade; and Peter Pangborne is chosen the currier for the city. "Also ordered, that no butcher be permitted to be curriers, or shoemakers, or tanners; nor shall any tanner be either currier, shoemaker, or butcher: it being consonant to the laws of England, and practice in the neighbour colonys of the Massachusetts and Connecticott."

Further it is ordered, that if any Indians shall be seen coming out drunk of any house, that it shall be a sufficient conviction; and if seen drunk in the streets, and the house not found out, or known where he or she were made drunk, the whole street to be fineable. Likewise ordered, that no person distill any grain, unless it be "unfit to grind and boalt."

November 10th.—An assessment and tax for defraying the charges of the new dock, and paying the city debts and other public duties, at one penny, half penny per pound. The names are 301, arranged in this manner:

		£	s.	d.
050	Alexander Stilher,	00	06	03
050	Andrew Bradsteid Cooper,	00	06	03
100	Andrias Jansen,	00	12	06

Of these names, there are but 104 that are decidedly English, three or four that are French, and the remainder Dutch. Of names now with us, I remark those of Anthony, Alard, Hardenbrook, Peterson, Bedlow, Byard (Bayard,) Crossfield, Clopper, Ten Eyck, Provost, De Haert (or De Hart,) Clarkson, Duykinge, Phillips, [in two or three instances, the names are entered thus: "Garret, the Miller," "Moses, the Jew," and Moses is rated at £200, and pays £1 2s. 6d.,] Kipp, Davenport, Brasier, Smith, Vandewater, Johnson, Matthews, Sharpe, Lawrence, Cowley, Shackerley, Henry, Delaplaine, Delanoy, Turke, Romeyn, Tayler, Cooke, Delaval, Aerstor, Beakman, Bogardus, Elsworth, Blagg, Spencer, Hambleton (probably the same as Hamilton,)

Clanson, Cobbett, Garritson, Jacob Israel, the Jew, Norwood Verplanke, and Courland, (perhaps the same as Cortlandt.) The amount of property assessed is £99,695, 19s. 7d. The richest persons in the city, according to this assessment, are—Cornelius Stanwike, £4,000; Jacob Leishler, £3,000 (Leisler;) the Widow De Haert, £1,200; Nicholas Byard, £1,500 (Nicholas Bayard;) Courland, (meaning Cortlandt,) £3,000; Storey, £1,000; Dersall, £3,000; Delaval, £3,000; Jno. Wilson, £2,500; Jno. Robinson, £2,530; Edward Griffith, £2,030; Jno. Robson, £2,389; George Heathcott, £2,036.

November 13th.—An ordinance against profaning the Sabbath, from rising to sun-setting. No buying or selling, card-playing, disorderly assemblings of children in the streets and other places; publicans not to permit any persons to drink or game in their houses, or gardens, or yards. Fine for the first offence, 20 guilders, second, 50, and third, 100 guilders, and forfeiture of license.

Ordered, that no person shall come and dwell in this city for the future, or take a house, warehouse, cellar, or shop, or lodging, without first coming to the mayor or deputy-mayor and aldermen, and have liberty or license from them for the doing thereof, (except such persons as have the governour's order therefore)—the penalty, five pounds.

1677 The 18th April, proclamation by the governour and court of mayor and aldermen at New York. *That* the great and little pacht or excise be taken off, and liberty given to buy and sell freely at all due times; but to prevent confusion, etc., by many disorderly retailers, or houses of entertainment, ordered, that none sell or retayle at home nor out of dores less than one gallon, except licenced houses, under the penalty of forfeiting all such liquors, and treble the value, and be furdur punished, and for contempt, as the case may require. And all persons who wish to retail, are to apply to a person appointed by the court; those not complying with this request after 5th February, to be proceeded against. To be in force one year. Given in the 27th year of his majesty's reign. To the mayor and aldermen to be forthwith published at the City hall.

August 25th.—Ebenezer Kirtland petitions the deputy-mayor and aldermen, inasmuch as he understands that they wish "to erect and maintain a school for the educating and instructing of youth either in reading, writing, arithmetick, Latin, or Greek, and supposing himself a person fit to undertake and discharge such an employ, did address himself to his honour the governour, for his good liking therein, and he having signified the same, and ordered him to make his addresses to your worshipful body, to be the master of said school, he therefore humbly prays," etc. etc.

Stephen Van Cortland, mayor, John Guion, deputy-mayor, John De Peyster, Peter Jacobs, Gulyne Verplank, aldermen, give permission to Ashur Levy to build a slaughter-house, and take in Mr. Garret Jansen Rose as a partner, and all persons shall have liberty to kill and hang their meat there, paying for the same.

1678 Andros appoints Stephen Van Cortlandt, the present mayor, to be judge of the court of admiralty, and four aldermen to be assistants. He likewise appoints the above-named, with William Beekman, John Junyans, Francis Rumbolt, and Christopher Hooghlandt to be aldermen, and Captain Thomas Delaval to be mayor, dated 14th October. On the 3d December, he appoints Delaval, present mayor, to be judge of the admiralty, and six aldermen assistants.

December.—The provost of the city is ordered to levy fines on all persons refusing or neglecting to watch. But the elders and deacons “within this government formerly having been excused from the city watch,” are still excused.

1679 The next appointment of aldermen and mayor by Andros, is, Francis Rumbolt to be mayor, William Beekman, Johannes Van Burgh, Thomas Lewis, Peter Jacobs, Gulien Verplank, and Samuel Wilson, aldermen. William Corbett is appointed clerk of the court and city, William Bogardus, treasurer.

Andros proclaims that he has received information that Captain Philip Carterett, assuming and authorizing others to exercise jurisdiction, without the legal authority of said Andros, to the great disturbance of his majesty's subjects within the bounds of his majesty's letters patents to his Royal Highness; “I have sent to forewarn said Captain P. Carteret to cease his illegal acts; and I do hereby, by advice of my council, require and command the said Philip Carteret not to exercise jurisdiction within the bounds of the letters patent granted to his Royal Highness,” etc. He caused Carteret to be seized and brought to New York.—(See Vol. I., p. 133.)

1680 22d March.—Proclamation prohibiting the entertainment of negers, etc., published in this city and precincts: “Whereas, several inhabitants within this city have and doe dayly harbour, entertain and countenance Indian and neger slaves in their houses, and to them sell and deliver wine, rum, and other strong liquors, for which they receive money or goods which by the said Indian and negro slaves is pilfered, purloyned, and stolen from their several masters, by which the publick peace is broken, and the damage of the master is produced, etc., therefore they are prohibited, etc.; and if neger or Indian slave make application for these forbidden articles, immediate information is to be given to his master or to the mayor or oldest alderman.” Penalty for the breach or neglect, five pounds.

April.—The governour and council resolved, “That all Indyans here, have always been and are free, and not slaves—except such as have been formerly brought from the bay or other foreign parts. But if any shall be brought hereafter into the government within the space of six months, they are to be disposed of as soon as may be out of the government. But after the expiration of the said six months, all that shall be brought here from those parts and landed, to be as other free Indyans.”

1681 January 28th.—A proclamation renewing a former proclamation prohibiting Christians from trading with Indians in their towns and plantations or abroad in the country and rivers. The militia are ordered to keep watch. A commissioned officer to lock the gates at 9 o'clock, and open them at daylight.

1682 In this year, the return of the number of inhabitants and houses gave upwards of 2,000 men, women, and children, besides negroes and slaves, and 207 houses now in this city, besides barns and sheds. This return I found on a loose piece of paper, in manuscript, in the clerk's office of the common council of New York; but in the book of records it is stated to have contained, in 1678, 343 houses; this can only be reconciled by adding the “barns and sheds” to the lesser number.

Whereas, great inconveniences arise from frequent meetings and gatherings of negroes and Indian slaves on the Lord's day, and at unseasonable hours; using rude and unlawful sports to the dishonour of God and profanation of his holy day, and the disturbance of the peace of his majesty's subjects, many of whom are tempted to become spectators and neglect their duty; Resolved, that no negroe or Indian slaves presume to go or absent themselves from their master's houses on the Lord's day or any other unseasonable time, without the said master's leave, in writing; or it may be lawfull for the sheriff, constable, or other officer to seize such negroe, etc., and carry him before the next magistrate, who shall order him to be forthwith severely whipped and sent to his master, who is to pay all charges. Then follows a prohibition to sell liquors to negroes, Indians, etc.

1683 The deputy-mayor and aldermen of New York pray the governour, Dongan, that order may be taken to regulate the value of Spanish coin. They give their opinion, that if all pieces of eight “being civill Mexico or pillar, not weighing less than fifteen pennyweight do pass for 6s., and all Peru of the same weight at 5s., half pieces, at 3s., quarters at 1s. 6d., and royalls at 9d. The governour accordingly, on the 13th September, 1683, so ordered, only changing the word *civill* into *scrill*, and adding, “provided they be good silver.”

November 2d.—Dongan proclaims, that as “greate hurt, troubles and inconveniences, have and do grow and increase every

day, from the disorders committed in publick drinking-houses, tap-houses, and ordinarys, and by persons presuming to sell liquors, without license ;” Ordered, that no person presume to sell under five gallons without obtaining license.

November 7th.—It is recommended, inasmuch as the traders within the city are few who deal with Indians, and therefore no money of any consequence can be made from them for his Royal Highness, that all trade with Indians be prohibited, except for provisions, firewood, and gutters for houses.

9th.—The corporation petition the right honourable Colonel Thomas Dongan, Esq., showing, that the city hath enjoyed privileges, etc. confirmed by Colonel Richard Nicolls, late governour, in 1665 ; who incorporated the inhabitants, New Harlaem, and all others inhabiting on the Island Manhattan, as one body politique, and so has continued with privileges, viz : 1st, that all the inhabitants of the island are under the government of the city ; 2d, that the government was by seven magistrates, and a *schout*. These magistrates were formerly called *burgomaster* and *scheppen*, now mayor and six aldermen, and one sheriff. 3d, that these magistrates had power to appoint inferiour officers and to make laws for governing the inhabitants—and held a court of judicature every fourteen days—having power to determine all matters under forty shillings, without appeal, by verbal hearing of parties. After mentioning powers of the sheriff—6th, that all merchandize of the province was to be shipped and unladen in the city ; 7th, that no person was a freeman of the city, but as admitted by these magistrates, and none before such admission to sell by retail, or exercise any handicraft trade, and every merchant or shop-keeper was to pay the city £3 12s., and every handycraft man £1 4s. on being made free ; 8th, that no freeman was to be arrested, or have his goods attached, unless it was made appear that he was disposing or conveying away his estate to defraud his creditors ; 9th, no person was permitted to trade upon Hudson’s River unless a freeman and resident of the city three years ; 10th, all the inhabitants on Hudson’s River were forbid to trade over sea ; 11th, no flower bolted or bisket made, for exportation but in the city ; 12th, and that the city had a common seal. They therefore petition him to intercede with his Royal Highness to have these privileges confirmed with these additions : To be divided into six wards. That the freemen of each ward do elect their own aldermen, common-council men, and other officers. That a recorder be added to the corporation. That a mayor be appointed every year by the governour and council, and to be one of the aldermen so chosen as aforesaid. That all magistrates be sworne before the governour and council. That the recorder be judge of the city and corporation, and be aiding and assisting to the mayor and aldermen and council. That the sheriff,

coroner, and town clerk be appointed annually by the governour and council. That the corporation appoint their treasurer.

“Some objections made by the governour and council,” to the petition, with desire for explanation.

November 10th.—Present, the governour and Mr. Frederick Phillipse and Mr. Lucas Lancton. The above petition being read, “It is thought reasonable that the town of Harlaem have jurisdiction in matters under 40s. for themselves.”

19th.—Explanations are made.

24th.—The old magistrates, Mr. Cornelius Steinwick, Mr. N. Bayard, Mr. J. Inians, Mr. Wm. Pinborne, Mr. Guline Verplank, Mr. Robinson, and Mr. Wm. Cox, being sent for, all waited on the governour at the forte, except Mr. Cox, where the old magistrates were discharged, and a commission given to Mr. Cornelius Steinwick to be mayor, and to the others as aldermen, etc., until the usual time of new elections.

The corporation present another petition, to the governour in council, viz., “Captain Anthony Brockholts, Mr. Frederick Phillipse, Mr. Stephen Courtlandt, Mr. Lucas Lancton. The petition being read, the “governour wondered that having lately granted almost every particular of a large and considerable petition, that he should so suddenly receive another.” He says, no ferrys shall be allowed but those already granted. That the licences belong to the governour. He then regulates the markets—twice a week—only butcher’s meat every day—nothing to be sold on board any boats, canoes, etc. That bakers be obliged to keep good household bread for those who desired it, and that it be made of flour, “as the meals come from the mill.”

December 8th.—The city is divided into six wards. 1st, The South ward—to begin at the house of James Mathews, by the water side, and so northward along the Heeregraft to the house of Simon Johnson Romain, and from thence westward up the Beaver Graft, to the corner house of Baret Courson, and from thence southward by the forte to the water side, including the Pearle street, so to the house of Mathews again. 2d, The Dock ward—to begin at the house of Mr. Stephen Van Courtlandt by the water-side, and so northward to the corner house of Geesie Denys, from thence eastward to the house of David Provoust, and from thence to the house of Tryntie Clox, and so westward to the house of Thomas Lewis, and thence northward to the house of Lawrence Huys. 3d, The East ward—to begin at the house of Thomas Lewis, and from thence northward to the house of Thomas Huys, then along the wall to the corner house of Miriam Levy, and so to Thomas Lewis’s again, with all the houses in the Smith-floye, and without the gate on the south side of the fresh water. 4th, North ward—to begin at the house of Ariane Jonson Hagenver, then eastward

along the Beaver Graft and Prince street to the house of Christian Lawrie, and so northward to the house of Garret Hendrix, and from thence westward to the corner of the New street, and thence southwards to Ariane Jonson's again. 5th, The West ward—to begin at the house of Thomas Coker, so northwards to the gate, and thence eastwards along the wall to the corner of New street, thence southwards to the house of Peter Brestede, and from thence westwards to the widdow of Jonson Brestede, and so to Thomas Coker's again. 6th, The Out ward—to contain the town of Harlem, with all the fermes, plantations, and settlements on this Island

Manhattans, from the north side of the Fresh water.

1684 February 1st.—The mayor and corporation represent the trade to New Jersey as being much prejudicial to the trade of this city and province. The power of the corporation to hold a court of sessions is disputed by Governour Dongan; but allowed until his Royal Highness's pleasure is known.

March 7th.—Address of the mayor and aldermen, to the governour, about East Jersey. They say that the natural situation of the island being convenient for trade, the predecessors of his Royal Highness bestowed many privileges, confirmed by Colonel Nicolls and successive governours, which would have been of great benefit, if the unhappy separation of East Jersey had not occurred, which must necessarily divide the trade of this province, as the experience of this year's doth sufficiently demonstrate, goods being furnished to the city without paying the duties due to his Royal Highness, and the interference with the Indian trade, to the great loss of this city. They therefore pray the governour to intercede with his Royal Highness to have East Jersey annexed to the province of New York, “by purchase or *otherways*,”—otherwise his Royal Highness will be injured, and New York ruined.

15th.—In common council, Mr. Cornelius Steinwick, mayor, in the thirty-sixth year of the reign of his majesty Charles II. Ordered—*That* no manner of servile work be done on the Lord's day—penalty, 10s., and double for each repetition. *That* no children meet together in the streets or places to play on that day; penalty, 1s., and double for each repetition. *That* no publick house sell any liquor on that day, during divine service, unless to travellers. *That* no negro or Indian slaves, above the number of four, do assemble or meet together on the Lord's day, or at any other time, at any place from their masters' service, within the liberties of the city, and that “no such slave doe goe armed att any time with gunns, swords, clubs, staves, or any other kind of weapons whatsoever, under the penalty of being whipped at the publique whipping-poste tenn lashes, unless the master or the owner of such slave will pay 6s. to excuse the same.” *That* a constable with his staff do walk the city and see the law fulfilled. *That* the

constable of each ward enquire and return the names of all strangers that come to reside within the ward, under penalties to be inflicted on the ward and the constable ; and the masters of publick houses are ordered to report all strangers coming to lodge or live with them, and they are forbidden to receive or lodge any person, male or female, suspected or of evil name, under penalty of 10s. *That* twenty carmen be appointed, and no more, under certain regulations—one of which is, that they doe fill up, amend, and repair the breaches in the streets and highways in and about the city, when required by the mayor, *gratis*, and cart the dirt every Saturday in the afternoon out of the streets and lanes, provided the dirt is swept together by the inhabitants. The price of cartage to any place within the gates of the city fixed at 3d., except for wines ; if a load is carried out of the city to any place, that is to say, to the further end of the Smith's Fly, or any part thereof, double ; no carman allowed to ride upon their carts within the city ; they are required to behave themselves civilly to all persons. *That* no negro or other slave do drive any carte within this city, under the penalty of 20s. to be paid by the owner of such slave, (except brewer's drays or carriages for beer.) None but such as are free of the city allowed to sell any wares, etc. by retail. No garbage to be thrown in the streets. A cord of wood to contain eight feet in length, four in height, and four in breadth ; places are appointed where wood is to be brought and corded ; the porters of the city to be the corders, and receive 4d. the cord from the seller. No person to countenance or entertain any negro or Indian slave, or sell or deliver to them any strong liquor, without liberty from his master, or receive from them any money or goods ; but, upon any offer made by a slave, to reveal the same to the owner, or to the mayor, under penalty of £5. Tuesdays, Thursdays, and Saturdays, appointed market days ; but fish, butter, cheese, eggs, poultry, fruit, and roots may be sold every day. Forestalling forbidden. The assize of bread to be established every three months.

17th.—Regulations respecting boulting flour, etc. The making of flour prohibited in any place within this province but in this city only, nor noe flower or bread to be imported into this city from any other part of the province, under penalty of forfeiture. They pray the governour to confirm these laws ; and they were approved.

29th.—Fifteen carmen refuse to obey the laws, and are discharged from being any longer carmen ; and all persons, slaves excepted, allowed to act as carmen.

April 6th.—Three of the rebellious carmen submit, and are pardoned and restored, on acknowledging their fault and paying a fine of 5s.

The corporation enforce their request for the monopoly of flour

and bread, making use of such arguments as, that the prosperity of the city depends on it, and it will take nothing from other places in the province.

1685 March 23d.—The governour prohibits the carrying of concealed weapons.

April 30th.—A white loaf, weighing 12oz., to be sold for six stivers wampum. James II. prohibits all his subjects, except the East India Company, trading with the East Indies. Dated the 1st day of April, 1st year of his reign: and a like prohibition to trade within the limits assigned to the Royal African Company.

August 6th.—The governour proclaims, that all informers should repair to him, and to no other person with information respecting illegal trade, etc. Given under his hand at Fort James.

The assembly dissolved by proclamation of the governour. It had met the 17th day of October the previous year.

September 12th.—At a common council “the petition of Saul Browne, recommended by the governour, was read, and council’s opinion endorsed thereupon, was, that *noe Jew* ought to sell by retail within the city; but may by wholesale, if the governour think fitt to permit the same.”

14th.—The porters appearing and refusing to comply with the orders made about cording wood, were dismissed from being any longer porters.

The valuation brought in by the assessors of the property of the city; it amounted to £75,694.

The petition of the Jews to the governour for liberty to exercise their religion, being by him recommended to the mayor and aldermen, was read in common council, and they returned their opinion thereupon, that *noe* publique worship is tolerated by act of assembly, but those that professe faith in Christ, and therefore, the Jews worship not to be allowed.

1686 The bakers of the city are at this time 24 in number, and they are divided into six classes, and one class appointed to each day of the six working days of the week.

April 15th.—The governour by proclamation, renews the prohibition to harbour or trade with Indians.

24th.—The common council agree to pay the governour on his signing the charter £200, and give him security for £100 more in six months.

May 11th.—The mayor reports, that he has paid £300 for the patent, and £24 to the secretary: and a committee is appointed to raise the sum.

December 23d.—In the second year of his majesty’s reign, William Butler is appointed chimney-sweeper to the city, and ordered “to pass through all the streets, lanes, and passages, with such noise or cry, as may discover you to the inhabitants thereof, to be

the person for that employment appointed." He may demand for a chimney of one story 1s. ; two stories or more, 1s. 6d.

In December this year, Andros arrived at Boston as governour of all New England.

1687 October 13th.—The constables of the respective wards, ordered to summon the inhabitants to appear before Alderman Rombout, Alderman Vanbleck, and Alderman Cortlandt, or any two of them, to give an account of their freedoms, that a committee may judge "who shall be allowed as freemen and who shall not."

The province of New York contained not less than 20,000 inhabitants. New Jersey 10,000. Connecticut about 18,000. The whole English colonies 200,000.

Governour Dongan held a patent for a large landed estate on Staten Island, from the province or proprietor (James II.) of New York, but having some doubts of Staten Island belonging to New York, to be doubly sure, he procured a patent for the same land from the proprietors of East Jersey. The last of his descendants had reduced himself by vice, to be sergeant of foot or marines in 1798-99. The mansion-house fell into the McVickar family ; this last Dongan and John McVickar married sisters of the Moore family of Newton, Long Island.

Governour Dongan embarked for England, and left Nicholson as James's lieutenant-governour under Andros : if he went to England, he of course, found William III. on the throne. I believe he returned to his estate on Staten Island. A Colonel Dongan, was wounded on Staten Island in August 1777, and died, 1st. September. Was he a grandson of the Governour? But Miller's extract from Ebeling says, he went to his native country, Ireland.

Thomas F. Gordon says, p. 20, section 12, of his history of New York, that Colonel Dongan, the deputy-governour of New York, was afterward Earl of Limerick. Again p. 25, section 4, he says, that James II. in 1688, commanded Dongan to surrender New York to Andros, then governour of New England, by which New York merged in New England, and Andros appointed Nicholson his lieutenant-governour, and Dongan "retired to his farm on Long Island ; where he remained until 1691." Chief Justice Smith says, (Vol. 1, p. 91) that Dongan had embarked for Europe, and lay in the bay at the time Leisler seized the fort, which was in the summer of 1689. Smith likewise says, Dongan went to Ireland, and it was said became Earl of Limerick. He resigned New York to Nicholson, who was deputed by Andros, then commissioned by James as governour of both New England and New York.

1688 August 11th.—In the fourth year of James II., Andros issues his proclamation, saying, whereas he has annexed his province of New York "to his territory and dominion of New Eng-

land, and to constitute him (Andros) captain-general and governor-in-chief of the same," therefore, all officers are continued, except those particularly removed, and all rates, dues, taxes, etc., for his majesty's government are likewise continued.

August 24th.—Proclamation by the same for a general thanksgiving for the birth of a prince, to be observed on the 2d of September.

November 2d.—The assessors bring in the valuation as follows. The West ward, £9,600, North ward, £7,625, South ward, £29,254, East ward, £9,648, Dock ward, £16,241, Harlem, £1,723, Bowrye, £4,140. Total, £78,231.

1690 January 4th.—Ordered, by the common council of New York, as there is no provision for the assistance of the poor, that each constable in his ward make a collection "of a free gift" from the inhabitants and render an account to the mayor.

1691 April 1st.—Resolved, that there be "but one butcher's shamble within this city, and that it be still dayly kept at the green before the ffort untill further order, and all butcher's meat to be brought to the said shamble for sayle, and no other place."

Received a petition of Conradus Vanderbeck for to invite to funeralls, the consideration whereof is referred till next court.

A fine of 3s. to be imposed on members for absence without excuse, 1. 6d. of which for the benefit of the common council.

18th.—Ordered, "that Conradus Vanderbeck be appointed and confirmed in the place of inviter to the buyriall of deceased persons." To be licensed by the mayor, and pay "the city 9s. besides fees, and to be renewed yearly."

A committee that had been appointed to regulate markets report "that there be two markets for flesh kept, the one in the Broadway over against the ffort, the other under the trees by the slip, and that the butchers shall be obliged to keep flesh in both places,* and that the country people shall bring flesh to either of the two places, suiting their best convenience, and that no butcher's meat be killed within the city gates." Eggs, butter and poultry to be brought to the said places. "That fish be brought to the dock over against the City-hall, or the house that *Long Mary* formerly lived in;—likewise hearbes, fruite, roots, etc." Tuesdays, Thursdays and Saturdays the market days; but in case "by tydes, weather, or any other accident," all these articles may be sold on other days in the market places. No hucksters to buy any thing to sell again until it has been in the market two hours. Any per-

* We know by this that there was but one slip, and that of course was the Coenties.

son that buyes or cheapens any flesh, fish, etc., etc., and coming to the market to forfeit 6s. None of these articles to be sold elsewhere. The clerk of the market to receive 1s. per head for cattle killed for the market, and 3d. for hoggs, and 2d. for calves and sheep; but the country people to pay nothing for those brought ready killed.

Orders for cording wood, and regulating carmen and captains appointed for the carmen: 6s. for a carman's license. No carman to ride on his cart. The carmen obliged to carry away the dirt; if they load it to have 3d. a load. The carmen shall be obliged to carry loads to the court as customary. That they shall be obedient to their captains, who are to keep the number of twenty-four; which are to be divided, one half to tend the water side, and one half to tend the city. No boys or negroes to drive carts. Every carman to drive his own cart. All carmen shall be obliged to leave all employs to attend to the riding up of wheate or fflower, or any other merchandize subject to damage, upon penalty of 3s. for each default for the use of the city.

22d.—Ordered in common council, that each alderman in his ward, make a return of poor, requiring charity, and in the mean time supply them.

That “no person within this city, shall entertain any strangers for a longer time than seven days, without giving information to the mayor, of their names, and whence they came, upon pain of 40s. fine.” And masters of vessels and boats, are ordered within 24 hours after arrival, to report their passengers.

Richard Chapman is appointed to act with C. Vander Beck as inviter to funerals. And they are to give their attendance gratis on the poor.

25th.—All persons are forbid to trust “saylors,” under the penalty of forfeiting the same, as it shall not be recoverable by law.

No sale of rum to be made to an Indian under 15 gallons. Ordered, that no person harbour any negro or Indian slave in their house or otherwise, or sell any strong liquor to them, without permission from their master, or to take any money from them on any account, [a repetition of former laws.]

July 7th.—Ordered, that the poisonous and stinking weeds before every one's house be plucked up, under 3s. penalty.

All flour not bolted within the city, to be seized.

Three lawyers to be retained in behalf of the city.

Ordered, that the widdow Langley be provided for, and that 2s. 6d. per week be allowed for her maintenance.

The wharfe is mentioned as “lying upon the water side, between the Stadt-house and the bridge.”

A half penny per pound, ordered to be assessed on the inhabitants, to pay the city debts.

9th.—A committee appointed by the common council, to build a market-house “at the end of the Heergraft street,” [Broad street?] “for all but butcher’s meat.” And a committee to lay out said street to the water side.

September 17th.—Another widow is provided for at 3s. the week : and ordered, “that Arthur Strangwich be provided for, as an object of charity, and that 3s. per week be paid unto his wife for his maintenance.”

“Ordered, that two women and two children, without the gate of the house of John de La Vall, the one called Top Knott Betty, the other one Stillwoll’s wife, with the children, be provided for :” 4s. a week are allowed them for one month.

A piece of land lying beyond the Smith’s Fly, at the foot of the hill, [Golden Hill] is leased to a man and his wife for their natural lives, for 6s. per year ; he leaving a convenient road between his house and the high water mark ; and to construct a building to be the city’s at their decease.

“Ordered, that the lotts belonging to the city, from Burger’s path, to the foot of the hill, by Mr. Beekman’s, [from Smith street, now William, south of Wall, to the foot of Golden Hill] be exposed to sayle.”

“Ordered, that the treasurer lett Searbanch have a new suit, and assist him in what’s wanting.”

December 5th.—Ordered, that the lotts between the Burger’s path and Block-house, be divided into thirteen, and “exposed to sayle,” the purchasers being obliged to fill up “the front of the said land with one entire house,” [i. e. each lot a house, of the breadth of the lot,] “which shall be two stories high above the ground, and the front to the street, to be either brick or stone, and that the same form of buildings shall be likewise observed in the street next the seaward—and if any other sort of buildings are erected fronting to either street, they shall be pulled down.”

8th.—The ministers, elders, deacons, and congregation of the Dutch reformed church, petition for a vacant piece of ground, situated to the northward of the dwelling house of Cornelius Pluveer, to build a church. Ordered, that a grant be given accordingly.

17th.—The committee appointed for the purpose, report—that the tract of land lying in Garden street, contains on the north side 175 feet, English measure : on the south 180 feet, “more or less, which land is ordered for the Dutch church ; they paying 180 current pieces of eight—6s. to be paid upon sealing the patents, *the citty selling their right and property.* On behalf of the

Dutch church this was agreed to, and accepted by Alderman Johannes Kipp and Brandt Schuyler.

1692 February 8th.—“Colonel Bayard making application to Mr. Mayor, as sent from the governour and council, as he said, about repairing the fortifications around the cittey,” it was proposed to the board, who answered, “that it in no ways belonged to the citty, and that they were incapable of defraying the charges thereof; but they were ready to give their labour,” as usual. It was proposed that the citty give £20 or £30 for the above purpose, but rejected.

19th.—A deed was signed by “the mayor to Mr. Samuel Bayard, and his bond taken for £100, that the said Samuel Bayard, and his heirs, shall only employ the said lott or toft of ground, towards the building a church, or houses for pious and charitable uses aforesaid, and not assign the same to any other person or persons whatever; but on the tenour that the same be employed by them towards the building of a church, or houses for pious or charitable uses.” The church was built: and in 1791 burnt.

“Ordered, that there be a pillory, cage, and ducking stool forth-with built.”

A committee appointed to view the fortifications with Colonel Bayard and other military officers by him chosen, and to see what the charges of repairs may amount to.

29th.—By recommendation of the commander-in-chief, a committee appointed to calculate the expense of materials for the same. [The Colonel Bayard above named, is Nicholas—the trustee or purchaser for the church, is Samuel.]

March 14th.—The report of cost for the fortifications, is £200, “besides great guns, powder, and ball.”

30th.—“The recorder having read an address of the mayor, etc.,” to their majesties: the mayor “objected against the same on consideration that it is said therein, that Leisler hath not paid the soldiers he had *taken upon him to raise*. The recorder, and the rest of the common council, were willing to sign. At present it is layd aside.” The mayor, was Captain Abraham De Peyster: the recorder, Pinborne, one of Slougher’s council.

April 2d.—All persons not “listed in the train bands,” ordered to work on the fortifications, under penalty of 3s. for each default. This is required, as the fortifications have gone to ruin, and danger apprehended from the enemy.

May 6th.—“Ordered, that all the land in front of the Fly, from the block-house, unto the hill next Mr. Beekman’s, be exposed for sayle.” That is as I suppose from the block-house, near the foot of the wall, now Wall street, to Golden Hill, which was all a swamp, until Maiden Lane was brought down through it, to

the Countess's Slip in Bellamont's time, when the Fly Market afterwards was built. Part of this land is valued at 25s., and part at 18s. and 15s. per foot. The inhabitants refuse to buy this land as valued, because the lotts are "unequally laid out in uncertain breadths." A committee is appointed to sell by outcry or otherwise: and "the former streets of King street, Greene Lane, and Mr. Van Clift's, be left open to the low water."

A letter is ordered to be written to Colonel Dongan, notifying him, that the city claim a lott of land by the bridge, to which he makes pretensions; but as he is absent, they respite the sayle to give him time to make his claim appear.

August 11th.—The common council resolve to sell the lott formerly claimed by Dongan, behind the Weigh-house, next the dock. This is exchanged for another lott and becomes Mr. Spratt's.

Laws are renewed to monopolize to the citty the bolting of flower and making bread for sale, etc.: as being the source of the city's prosperity.

Colonel Bayard being questioned, says, that Dongan applied to him, when he, Bayard, was mayor, for a grant of the lott above named, and he refused the same—and the governour said, if Bayard would not sign the patent, he would sign it himself: and that Dongan applied to the person of whom the citty bought said lott, to draw him a patent for it. The man said, he had already sold it, and could not have any title to it. Dongan replied, "What's that to you?—Draw you the patent?" upon which he answered, "he would draw him 100 if he would, but they would do him no good," and accordingly, engrossed one for him.

30th.—"Agreed, that there be a treat made to welcome his Excellency Benjamin Fletcher, now arrived, by the citty, to the value of £20, or thereabouts."

Graham, who drew the patent of the lot for Dongan, says, that about a twelve month ensuing the grant of the charter, he was very much importuned by Colonel Dongan to draw him a patent for the above lott.

September 1st.—James Graham is restored to the office of recorder, nem. con. "pursuant to the recommendation of the lords of the board of trade and plantations," his discontinuance in Colonel Slougher's time in any ways notwithstanding. For this purpose

Benjamin Fletcher gives his warrant, September 3d.

1693 February 4th.—An address to Governour Fletcher, praying that he apply to their majesties for a confirmation of the charter, and that the mayor be Clerk of the market, Water Bayley, and Coroner, and that the boulting of flower and baking of bread for transportation be confined to the citty only, as formerly.

9th.—The mayor, etc. wait upon the governour with an address saying, that "greater blessing could not come to this late languish-

ing province than that most gracious favour of his majesty's, in constituting your excellency their lieutenant here. The inhabitants of this, their majesties' citty, were induced, with incessant labour, great charge and expence, to enrich this barren soil. But this citty no sooner began to make a figure in trade, etc. but it became the envy of our adjacent neighbours, who did not cease by all their little artifices, to interrupt our trade, but also did reproach us with many false suggestions, etc. which did procure considerable branches of the government to be lopped off, and still not contented with the devastation were restless until we were swallowed up by that unhappy annexation to New England, whereby our traffique not only drooped, but all that was dear and valuable amongst us wholly destroyed." This extravagance is all in complaint of flour being sold without the city—the staple on which the province depended—and the address ends thus: "We, with all humility, presume to prostrate ourselves and supplicate your excellency that as you are their majesties' vice-gerant here, and thereby the fountain of justice, goodness, and equity, that your excellency would be pleased to take the decaying state of this afflicted citty into your favourable consideration, and become their effectual patron and protector, under whose influence it can only flourish." And all this servility for the monopoly of the bolting of flour and baking of biscuit for transportation!

Ordered, that the recorder draw up an address to their majesties, representing the steps his excellency has made for the quiet of the government, since his arrival.

The humble address of the mayor, etc. to the king, is in the same slavish and fulsome style as that to the governour.—In the deepest sense of the manifold blessings and mercies upon our nation by the Almighty God, who hath only raised your most sacred majesty to be his glorious instrument for the redemption of your people, who were lately groaning under the yoke of popery and the growth of French tyranny. His majesty's gracious care and princely notice, in constituting Fletcher, a gentleman of pious life, to be your majesty's governour over us, etc. He found great division amongst us, occasioned by frivolous heats; he speedily allayed them; he preferred persons of moderate spirits to the chiefest stations, which produced an increase of unity, etc. When on a sudden, a spark of fire broke out likely to reduce your majesty's government to confusion again. Many of the late disturbers beginning to fall back and cool in their affections to your majesty's interest, his excellency's vigilance did soon discover the cause, and found the coals of dissention were blown up by Sir William Phipps, a person who ought to have had more regard to the dignity of the character he bears by your majesty's favour; but laying that duty aside, degenerates from his allegiance, and setts his emissary

ries at work to alienate the affections of your majesty's subjects from their duty to your majesty, reflecting upon your majesty's government established here by your majesty's authority, and insinuating by the libels sent amongst the ignorant people, that the legal proceedings made by your majesty's authority in this province, were of no force, and that other tumultuous acts would be justified by your majesty, borrowing your majesty's sacred name to cover his turbulent designs, that he might with the greater ease blow the coals of rebellion amongst your majesty's dominions upon this main of America. They therefore supplicate his majesty's captain-general to lay their humble address at his majesty's feet, etc. etc., assuring that their lives and fortunes shall be, etc. etc., for his majesty.

July 14th.—The recorder is ordered to draw an address of congratulation to the governour on his safe return from Albany, and a "cup of gold, value £100, to be presented to his excellency as a testimony of the city's gratitude for his care of its security."

20th.—Reported, that 20oz. of gold hath been bought of Peter Marcus, for a cup to be presented, etc. They order £106 to be paid, and the revenue of the Ferry to be appropriated therefore.

20th.—The humble address of the mayor to his excellency, Benjamin Fletcher, governour and commander-in-chief of his majesty's province of New York, province of Pennsylvania, country of New Castle, territory and tracts of land depending thereon, etc. This is to praise and thank him for the dangers he has incurred in his late voyage to Albany, and for reducing the Indians to an union with his majesty's interest, etc. whereby the frontiers are secured, etc. All this is owing to the inestimable virtue, prudence, and pious conduct of his excellency. They pray his excellency, saying, they wish him to look into our city, "and you will find that our inhabitants are dayly erecting monuments to perpetuate the memory of your excellency's virtue," etc. and with many other prayers for the king, queen, and his excellency, they present this famous cup of gold.

August 11th.—Assessors appointed to raise £725, being one moiety to be paid by the city, according to act of assembly, for raising £6,000 for the payment of 300 volunteers to be employed in reinforcement of the frontiers of this province *att Albany*, from the 1st of May next, 1694.

21st.—All Indians, negroes, and others not "listed in the militia," are ordered to work on the fortifications for repairing the same, to be under the command of the captains of the wards they inhabit. And £100 to be raised for the fortifications.

October 10th.—The governour and council, in consequence of actual war between the king and queen on one part, and the French,

and the knowledge that a squadron of ships are ordered to invade this city, order that a platform be made upon the outmost point of the rocks under the fort, whereon, as the governour says, "I intend to build a battery to command both rivers;" therefore he requires the corporation to order the inhabitants of the Out ward of the city and Manning and Barne's Islands to cut down eighty-six cords of stockades of twelve feet in length, and to have them in readiness at the water side to be conveyed to New York, at the charge of the city and county.

1694 January 15th.—The common council again address the governour with compliments, as before. They thank him for ordering the platform and battery on the point of the rocks under the fort—"a work absolutely needful, and of so great contrivance that no doubt (by the assistance of God, your excellency's indefatigable dilligence,) etc., the province for the future will be in perfect security, and the rumour thereof make the enemy change his measure and not attack the city."

19th.—The common council receive the answer to their request made to the governour, for his opinion respecting their power to tax the inhabitants. He in council answers in the affirmative. "It is a power natural to every body politique by the very act of incorporation to do all those reasonable acts that are necessary to the continuance of that being."

1695 January 16th.—Ordered, that no merchant or handicraft tradesman shall take any apprentice, without being bound by indenture before the mayor, recorder, or one of the aldermen. Such apprentice to be bound for not less than four years; and at the expiration, if he has truly served, to be made free of the city—registering the same, and the master paying 3s.

July 8th.—Order is received from the governour to summons all the freemen of this city, who by themselves or servants are to be immediately employed in the repair of the fortifications, bulwarks, flankers, and batteries thereof, and to see that all the guns are mounted and ready for use: powder, balls, and gunners proper and fit to defend the city.

November 19th.—£864 15s. to be raised for "paying and maintaining a company of fusileers, employed on the frontier att present under the command of Major Schuyler."

1696 In this year the general assembly pass an act making it lawful for every place in the province to bolt flour for exportation; by which the monopoly of the city is broken up.

The city by this time had increased to 594 houses, and had (says the common council,) 60 ships, 40 boats, and 62 sloops—killed 4,000 "beefes," and lands had advanced to ten times their former value. All which prosperity is attributed to the city's pos-

possessing the exclusive privilege of bolting flour and baking biscuit for transportation ; and all is lost by the Bolting Act, as the common council say.

During this year Trinity Church was begun : it was opened for worship by the Rev. Mr. Vesey, in the year 1697. This building was enlarged in 1735-6, and burnt down in 1776, and another building erected in 1788. It was consecrated by Bishop Prevost, in 1791. The last has in its turn (1839,) been demolished, with the intention of erecting a third Trinity. The cemetery of this church was granted by the common council gratuitously to the vestry, in 1703, on condition that it be neatly fenced, and that the fees for burial be limited to 3s. 6d. for grown persons, and 1s. 6d. for those under twelve years of age. By the records, it appears that this cemetery had received more than 160,000 bodies before the conflagration of 1776.

May 12th.—“ Upon consideration of building a new Citty Hall, it is ordered that Alderman Cortlandt, Alderman Dawkins and Alderman Boelen, Mr. De Peyster, Mr. Rip Van Dam, and Mr. Erwalye, together with Captain Clarke, Mr. Lurting and Captain Kip, be a committee to make a draft of the City Hall, and the conveniences that thereunto may be needfull, and compute and estimate what the building thereof may cost ; and likewise how much the Citty Hall and ground and the land under the trees by Burger's Path will sell for, and make report thereof in fourteen days to the Clerk's office.”

June 23d.—A warrant is ordered “ for payment of £41 current money of New York, to Captain Brandt Schuyler, for his service as a representative of this citty to the breaking up of the last sessions of assembly.”

26th.—“ By a majority of votes, itt is agreed that a Citty Hall be built.” A warrant ordered for paying to Mr. Lawrence Reade £41, “ for his salary as one of the representatives of the citty in general assembly.”

The “ easiest and best way for building a Citty Hall, powder-house, etc. etc., is to mortgage the rent of the Ferry for fifteen years ; to sell the present Town Hall and ground thereunto belonging, and the ground concluded to be sold in the rear of the Dock street, at 9d. per foot. The new Citty Hall to be built and covered by the 1st of November next come twelve months.” i. e. November 1697.

October 17th.—Captain Teunis Dekay petitions “ that a cart-way may be made leading out of the Broad street to the street that runs by the pye-woman's, leading to the commons of the citty.” The petitioner undertakes to do the same, provided he may have the soyle.

The inhabitants complain that there is no bread to be bought. The bakers being summoned, "complain that they have no corne, neither can get any to purchase at a reasonable rate whereby to occupy their trades, in order to supply the inhabitants with bread." Aldermen are ordered to inquire in their wards what flour, wheat, and bread are therein, and report.

23d.—A committee appointed to devise means to cause corne to be brought to the city for the relief of the inhabitants.

November 11th.—£10 ordered to be paid *James Graham*, [Recorder] being in full for his salary as *speaker* of the *house of representatives*, and a member for this city, ending the third day of this present November.

£21 4s. is one year's salary of the clerk of the mayor's court.

17th.—Upon inquiry, it is found that there is not more than seven hundred bushels of corn within the city, and the number of inhabitants being computed six thousand or more, therefore found that the stock of corn would not be sufficient for a week's maintenance. The cause assigned by the common council for this scarcity, is "the liberty and latitude that every planter had lately taken, of making his house or farme a market for his wheat, or converting the same into flour by bolting of itt, and that under pretence of a privilege they conceive they have obtained, by virtue of a law of the general assembly, entitled an act against unlawful by-laws," which had deprived the city of the monopoly formerly enjoyed. The mayor craves advice to remove this intolerable grievance, that the city may be restored to its rights and privileges; they recommend an address to his majesty for the repeal of said law, and a committee is accordingly appointed. An assize of rye bread agreed on—"a loaf weighing five pounds for 4½d.—

Rye being at 3s. 3d. the bushel."

1697 October 2d.—The mayor, William Merritt, informed the board "that on Tuesday next the supreme court of the province would sitt, at which several criminals would be tried, to which it is supposed great numbers of people would resort, insomuch that it is feared the City Hall will not be of sufficient strength to contain them:" whereupon certain carpenters and bricklayers are ordered to view and report thereon, and what will be wanting to secure the same. They reported that "six studs and a plank will secure the same from any danger of falling." The same are ordered accordingly.

4th.—The mayor produced a letter from the judges of the supreme court, stating that jurors and others summoned to appear, declare that in consequence of danger from the condition of the City Hall, they cannot attend on the court; therefore the magistrates are required in his majesty's name "to appoint and prepare some other place." Signed, William Smith, William Pinhorne.

Ordered, that this letter be answered, informing the judges that measures had been taken "for making the Citty Hall secure from falling, and the workmen doe believe the house to be of sufficient strength to contain any number of people that may be therein."

November 13th.—In common council: present, Merritt, mayor, and others. Resolved, in consequence of the ruinous situation of the City Hall, that the common council sit at the house of George Reparreck, adjoining to the City Hall, until the 13th of October next, and that he be paid for the same £12.

20th.—An order from the governour read, absolving the militia from the duty of night guard by a military watch, until the 25th of March next, provided "the magistrates of said citty doe appoint a bellman or some other civil watch to go round the citty in the night time to prevent irregularities that may happen, or fire," etc. Whereupon the board resolve, that four sober, honest, men be appointed to keep a watch in this citty every night until the 25th of March next, and that they hourly go through the several wards of the city during the said time to prevent irregularities.*

23d.—Unanimously agreed, that a new City Hall is necessary. "In consideration of the great inconveniency that attends this citty, being a trading place, for want of having lights in the dark time of the moon in the winter season, ordered, that all and every body of the house keepers within this citty shall put out lights in their windows fronting the respective streets," according as the mayor and two aldermen and two assistants shall direct.

December 2d.—Resolved, that the mode of lighting the city be that "during the dark time of the moon until the 25th of March next, every seventh householder cause a lanthorn and candle to be hung out on a pole every night." The expense to be divided equally between the seven. The aldermen are charged to see this done.

28th.—Four barrels of powder ordered for saluting the Earl of Bellamont on his arrival.

1698 April 2d.—Bellamont's commission read, as governour, and Nanfan's, as lieutenant-governour.

4th.—The address to the governour read and approved. It is full of humility, professions of obedience, lamentations of dissensions among themselves, and prayer for his influence to heal the same.

11th.—Resolved, that a dinner be proposed at the charge of the corporation for the entertainment of his excellency, Richard, Earl of Bellamont, captain-general, etc. etc., and a committee appointed

* In the year 1837, the number of watchmen is 1,064. The cost \$245,490 50 per annum.

to make a bill of fare, (two aldermen and two assistants,) “and that for the effectual doing thereof, they call to their assistance such cooks as they shall think necessary to advise.”

May 23d.—No person absent twelve months considered a freeman unless he keep fire and candle.

June 14th.—Alderman Provoost and Mr. Duykink appointed to take care that the publick house of office on the dock be cleaned and put in repair, and a person appointed daily to keep the same clean. A committee appointed to revise the laws. Thus the passion for codification appears to be of early date.

28th.—All the inhabitants of the city, “their apprentices and children that were here at the time the charter was granted,” be deemed freemen; they registering their names, (but none under 21 years,) and the oath administered to all who come to be registered.

An address ordered to “my lord,” praying that the sole bolting of flour and baking of biscuit for transportation be restored to this city.

29th.—The address read. It complains of “that grievous law” which took away this monopoly from them and “placed at every planter’s door the privilege—that the assembly hath deprived the city of its rights, etc. and they pray,” etc. etc.

“It is considered that the sum of £50 sterling be raised upon the word of the city, to be employed by an agent at home in England for the representing the state of this city unto his majesty and the lords commissioners of trade and plantations, in order to the repealing the said act,” i. e. the Act abolishing the city’s monopoly.

July 7th.—Several papers relating to the wished for repealing of the bolting act. The privilege of bolting, they say, was confirmed by Dongan, and enjoyed till 1694; when, by act of assembly, every planter’s house was made a market. The calamity hath produced anarchy in the province, and destroys the reputation of New York flour. When the *bolting* began in 1678, there were only 343 houses; in 1696, 594. The revenue in 1678–9 and 80, not exceeding £2,000 in the year; 1687, £5,000. The bolting being removed, the revenue decreased. In the year 1678, there were 3 ships, 7 boats, and 8 sloops; in the year 1694, there were 60 ships, 40 boats, 62 sloops. Since which, a decrease. In the year 1678, New York killed 400 beeves; in 1694, near 4,000. Lands had advanced ten times in their value. If this act continues, they say, many families in New York must perish, and besides they enumerate many other evils.

The recorder, in a letter to the committee appointed to address the king, states: He is grieved “for the great heats” he saw among them at the last meeting. When the great concern in hand

is considered, “no less than the livelihood of all the inhabitants of New York.” He reminds them of the scarcity of corn, when only seven hundred *schepels* were found in the city—not sufficient for bread for a week; that this was the consequence of the Bolting Act; that the inhabitants cannot be supplied with bread unless the monopoly is restored; that the inhabitants must either perish or transport themselves elsewhere. Accordingly, he had so represented the matter to his majesty. “Now, gentlemen,” he continues, “this being the truth, where is the defect? What is the cause of such heats? Yea, there is cause; your stile is defective; it is not Billingsgate language that is used: therefore allay your heats, and I will both vindicate the language and save the government from arraignment, as falsely suggested.” He states the objected words to be “and in that growing and flourishing state it had continued, if your majesty’s said benign favours and protection to your majesty’s said city had not been interrupted by an unaccountable and rash humour that seized upon the assembly.” “Shall we ask the king to repeal a law made with due deliberation?” He states that by this act, 8,000 souls in New York are doomed to perish for want of bread, to give plenty to 1,500 in the country.—This is a letter of many pages, and is followed by seven or eight pages of *reasons in defence of the rights and privileges*, and then the articles of surrender to Colonel Nicolls are given in full.

November 11th.—The mayor presents a letter from Lord Bellamont, requiring him to give the citizens an opportunity, and call upon them, to take the oath to his majesty and *the test* “that a discrimination may be made between good and loyal subjects and the enemies of his majesty.”

1699 February 2d.—The Ferry is let for seven years, on condition of security for payment given. The farmer to provide two great boats or scows for cattle, etc. and two small boats for passengers, one of each to be kept on each side. That the city build a Ferry-house within the first year of the lease. The fare for a single person is fixed at *eight stivers in wampum, or a silver twopence*. If a company cross together, each to pay four stivers in wampum, or a silver penny; but after sun-set, double ferriage. A single horse, 1s.; several in company 9d.; a colt, 3d.; *A hog*, the same as a *single person*; a sheep, half; a barrel of liquid, 3d.; an empty barrel, four stivers in wampum, or a silver penny; a beast’s hide, do.; a firkin or tub of butter, two stivers in wampum; a bushel of corn, half; a hogshead of tobacco, 9d. The rent per year, £165.

May 25th.—Unanimously resolved “to build a new City Hall at the upper end of Broad street, and the materials of the old City Hall be exposed to sayle, and the ground belonging to the same to

be lett to farme for the term of ninety-nine years ;” and a committee appointed to manage the same. The same advertised by putting up placards.

August 9th.—Ordered, the old Citty Hall and all belonging to it, the bell, king’s arms, and iron works belonging to the prison excepted, be sold at publick outcry ; the purchaser to pay at three payments. That the cage, pillory, and stocks standing before the same be removed within the space of twelve months ; the slip fronting the said Citty Hall shall remain, continue, and abide for ever a publick slip for the publick use and benefit of the city. That the citty have the liberty and benefit of the jail within the said Hall for the space of one month next ensuing.

“John Rodman, of the City of New York, merchant, hath by publick outcry and vendue purchased the said Citty Hall with the ground and appurtenances, for the sum of £920 current money of New York.”

About this time *Davenant*, writing of the American colonies, says :—“The stronger and greater they grow, the more this crown and kingdom will get by them, and nothing but such an arbitrary power as shall make them desperate, can bring them to rebel.” This man, in the seventeenth century, saw clearly the true policy of Great Britain, and her statesmen, in the eighteenth, were altogether blind to it. Liberal as *Davenant* was, he warned England of the danger that would threaten her commerce, if America should be allowed “to set up manufactures, and clothe as well as feed their neighbours ;” but he thought this would not be attempted under three or four hundred years. He insinuates that the English government does not think the colonists have the same rights as their fellow-subjects in England, but advises a confirmation of their liberties, keeping their charters free from violation ; and declaring “that Englishmen have right to all the laws of England, while they remain in countries subject to the dominion of this kingdom.” But Lord Chatham, the friend of America, in vulgar estimation, thought otherwise ; and declared that England had a right to tax the colonists without their consent, and that she was “sovereign over the colonies in all cases whatsoever.”

Nicholson, who as lieutenant-governour of New York, fled from *Leisler*, was now governour of Virginia, and proposed to the assembly of Virginia to assist in the defence of New York, for the security of Virginia, by building a fort on the New York frontiers, but they refused. William III. seconded Nicholson’s views ; but the Virginians still refused.

1700 April 9th.—The ill disposed of the city are charged with “a common practice of emptying tubbs of *odour* and nastiness” in the streets, and therefore ordered, that a fine not exceeding 40s. be inflicted for the offence.

In the year 1698, Nicholson, the former lieutenant-governour of New York, under James II. and governour of Virginia under William III., says in a letter to the board of trade in England, that many people in all the colonies think no law of England ought to be binding on them without their consent, because they are not represented in Parliament. In 1701, the board of trade directed Lord Bellamont to curb this humour, and added "the independancy they thirst after is so notorious" that with other objections to these colonies, it should be laid before parliament.

1701 March 29th.—Salary of William Sharpe, clerk of the common council, is paid for half a year, and for drawing, engrossing, and recording a deed to John Rodman, for the old City Hall, and a lease of the Ferry, £15 2s. Johannes Depeyster, and David Provoost, receive each £14 10s., for their service in general assembly, from 1st October, to 2d November following.

In this year New York, and Massachusetts, passed laws proscribing Roman Catholick priests. It is acknowledged by Walsh, (a Roman Catholick) that these laws were political and not religious: that the law makers "*believed*, that those priests laboured uniformly to excite the Indians to hostilities against the Anglo-Americans:" Mr. Walsh might have said, that they *knew* it. The Jesuit Charlevoix, gives us ample testimony on that head.

The Earl of Bellamont, as we have seen,* died on the 5th of March in this year. (The Irish peerage, says he died in 1700.) Nanfan, the lieutenant-governour, was at the time absent at Barbadoes. This Richard Earl of Bellamont, was of the family of Coote, and the second Lord Coloony. He was created an Earl, in 1696: his father had been created an Earl, in the first of William and Mary. The Earl of Bellamont who was governour of New York, married Catharine, daughter and heir to Bridges Nanfan, Esq., and she died in 1737. By her, Bellamont had two sons: the first was born before his mother was twelve years of age, and he succeeded his father as Earl of Bellamont. John Nanfan, the lieutenant-governour, was related to the Earl as a connexion of the countess.

1702 May 12th.—In the congratulatory address of the common council to Edward Lord Cornbury, they say: he is to heal their divisions—secure them against the enemy—be an example of piety, etc.

All the soldiers of his majesty's garrison of Fort William, are to be made freemen if natural born subjects, gratis. This made them electors or voters.

26th.—Samson Shelton Broughton produces his majesty's com-

* See Vol. 1., p. 243.

mission as *recorder*. His excellency and council, order the numbering of the men, women, children, and slaves, that are within the city and county, and the number of men from sixteen to sixty. The dock and slips of the city are farmed to James Spencer, carpenter, for £25—he to clean the dock and slips, and keep them clean and build a wharf enclosing the dock, and give security for performance. Resolved, that when the court of common council shall be equally divided, that part shall be considered prevalent, on which the mayor gives his vote. The salary of the clerk of the common council, is £20 per year. Resolved, to compliment Lord Cornbury with the freedom of the city, “covered with a gold box.” And all the governour’s suite (Bridges, Millwood, Congreve, Rich, Rookeby, Lovel, Freeman, etc., etc., and such other of the household, as came into the province with his excellency,) are made freemen of the city, gratis. All his majesty’s natural born subjects residing in the city, and too poor to purchase their freedom, shall be made freemen gratis.

Whereas, there is an act of general assembly, for encouragement of a free grammar school in the city of New York, and the court being of the opinion, that there is not any person within the city, (with whose convenience it would be agreeable,) proper and duly qualified for the office of school-master, think it necessary that this want be represented to the Bishop of London, and he be requested to send over a person of good learning and pious life and conversation, of English extract, and good and mild temper for this office : and that the court petition Lord Cornbury, to recommend this to the bishop ; and recommend said school to the society for propagating the gospel in foreign parts : and likewise, to her sacred majesty, to appropriate part of the farm, commonly called the king’s farm, for encouraging this school : and the recorder to draw up the petition.

December 23d—At a common council held at the City Hall, present, Philip French, mayor : Samson Shelton Broughton, recorder ; Jacobus Van Cortlandt, John Corbett, William Smith, aldermen. Ordered, that the arms of the late governour, the Earl of Bellamont, and Captain Nanfan, which are fastened in the wall of the City Hall, be by the marshal of this city, forthwith pulled down, and broken ; that the wall be filled up, and that the mayor issue his warrant to the treasurer, for the payment of the charge thereof. On his arrival a salute was ordered by the corporation : and four barrels of powder appropriated. His commission was published 2d of April, 1698, and the commission of John Nanfan, lieutenant-governour. It was on the 29th of March, 1701, that the “court agreed with William Mumford, stone-cutter, to find stones, and to carve thereupon, the king’s arms, the Earl of Bellamont’s arms, and the lieutenant-governour’s arms, according to the dimensions of the seve-

ral squares left in the front of the City Hall." This is ordered to be done within the space of six months. The cost was to be £41 4s., current money of New York. Therefore, it is probable that the Earl's arms, and those of Nanfan's, were put up in September, 1701, and taken down and broken, in December, 1702. This was occasioned by the part Bellamont and Nanfan took against the aristocratick party, of which Nicholas Bayard was one of the leaders, and when Cornbury arrived, the party of the Dutch, or the people, was put down, and the arms of their leaders disgraced by being taken from the front of the New City Hall, in Wall street, finished during Bellamont's administration, and broken. The king's arms remained until 1776, when on the reading of the Declaration of Independence, some of the citizens threw them down, and broke the tablet to pieces.

1703 January 15th.—The common council humbly beg Lord Cornbury, to help on the work of procuring a school-master for the free school.

Philip French, the mayor, paid £19 10s., for thirty day's service in the general assembly, as representative of the city.

February 15th.—The treasurer ordered to repay the mayor £9 16s. 3d., paid by him for a bonfire, beer, and wine, on her majesty's birth day, 6th February.

A petition from the rector, wardens, and vestry, of Trinity Church, praying the grant of "the burial place of this city" for ever, to be so appropriated; the rector, etc., keeping the fence in repair, and only taking for each person from 12 years of age and upwards, 3s. for breaking the ground, and for a child 1s. 6d.—Granted accordingly.

24th.—Ordered, "that a publick bonfire be made this night," at the usual place in this city, and ten gallons of wine, and a barrel of beer, be provided, at the expence of the city, on account of the success of his majesty's arms at Vego and in Flanders; and the house-keepers ordered to illuminate.

November 1st.—Resolved, that a cage, whipping-post, pillory, and stocks, be forthwith erected *before the City Hall of this city*, (in Wall street.) And Mr. Vesey is paid £5, as usual, for the corporation sermon.

1704 January 5th.—Captains Claver and Dewitt "sayled a privateering"

February 6th.—Her majesty's birth-day celebrated, with healths drank of the Princess Sophia, Prince George, Duke of Marlborough, etc. and illuminations.

17th.—Ordered, that the sheriff have the gaol of this city made sufficient "for the holding of felons," and likewise a convenient and sufficient prison for debtors on the *upper story* of the City Hall, at the east end thereof.

28th.—Colonel William Smith died at Brookhaven. He was “the first of her majesty’s council.”

Mr. William Vesey being a missionary, a catechizing school for *Blacks* was opened in New York. From him we have the name of Vesey street.

Christopher Billop, lived on Staten Island opposite Perth Amboy, and from him Christopher Farmer took the name and estate, and *he* was the noted Colonel Billop, of the revolutionary war.

A number of palatines (emigrants) arrived and settled at Newburgh. The first newspaper printed in America, the *Newsletter*, was published at Boston by the printer Bartholomew Green, whose father Samuel a printer, arrived with Winthrop in 1630, and settled at Cambridge. The first number was published the 17th of April, of this year, on a half sheet of “pot paper.” This paper was continued to 1776. It was owned by John Campbell, a Scotchman. Thomas’s history of printing says, the 24th of April was the first; but I find a paper dated April 17th, 1704, printed by B. Green, as above, on one half sheet, two pages; it is in the New York City Library.

It is said that the first white man born in New England was *White* by name, and died this year, aged 84, which brings his birth to 1620. This individual was Mr. Peregrine White, who must, according to this, have been born the same year that the Puritan pilgrims landed at Plymouth.

The French Protestant church “du St. Esprit,” was built in what was afterwards called Pine street, in the year 1704, by the refugees from the tyranny of papists, let loose upon them by the revocation of the Edict of Nants. Worship was performed in the French language. Those Huguenots who settled at West Chester and other places around New York, for a time resorted to this place for their devotional exercises.

October 14th.—The mayor, William Peartree, and aldermen, sworn in with the usual ceremony; Mr. Vesey preaching at Trinity Church on this day, yearly, and receiving £5 each day he preaches.

22d.—£10 18s. 6d. paid for the entertainment given by the corporation to Lord Cornbury “on his arrival here, from his government of New Jersey.”

1705 April 20th.—A bonfire ordered for the 23d, being the anniversary of her majesty’s coronation, and also three gallons of wine to drink her health. Our present common council do not manage these matters in such a sneaking way as this.

The original of the oath taken by Robert Luring, John Tudor, D. Provoost, Richard Willet, E. Blagge, C. De Peyster, etc., justices and common council, with their autographs, is in the clerk’s office of the common council. They swear, *that* they do not believe in transubstantiation, *that* the bread and wine

in the Lord's supper is not converted into the body and blood of Christ, "at or after the consecration thereof," and that they make this declaration "in the plain and ordinary sense of the words, as they are commonly understood by English protestants." They abjure the invocation of the Virgin Mary, or any other saint, and the sacrifice of the Mass—or the virtue of any dispensation as granted by the pope, or any other person.

Governour Cornbury prohibits the importation of "clipt money, of bits or double bits."

Mr. Byerly was receiver-general of the province, and was superseded by P. Fauconnier.

A thief is punished by burning (or branding) "in the left cheek near the nose, with the letter T." There is an account of an impostor, who pretended to be a Quaker, and that he falling in with a pirate, was wounded in the cheek; it afterwards proved that he was a thief, and his scars were those inflicted by this law. His name was Burch.

May 14th.—"The Pennsylvania post not yet come in, and suppose the three days of rainy weather *last week* has hindered him."

July 23d.—"There is a prodigious tooth brought here, supposed to be the tooth of a man" from the shape; "it weighs 4 3-4 lbs." It was dug up on the side of a hill, thirty or forty feet under ground "near a place called Clavarack, about thirty miles this side of Albany: it is looked upon here as a mighty wonder whether the tooth be of man or beast." Other bones were dug up which crumbled away on exposure to the air; "they say one of them, which is thought to be a thigh bone, was 17 feet long." Here we have, I believe the first discovery of the mammoth in our country. Eighty years after this the bones of the great beast were found in Ulster county, and Charles William Peale formed his skeleton, for his Museum.

This year an act was passed by the British parliament to *permit* the exportation of Irish linen cloth to the plantations. This was in the fourth year of the reign of Queen Anne.

August 13th.—Three privateers bring into port a rich Spanish prize; she had a number of passengers, among them, three friars. She was a ship of twenty guns, but was boarded and carried by Captain Claver, with the loss of three men.

September 19th.—A riot took place in consequence of some offence given by the sheriff to the privateersmen, which I do not find stated. They assaulted the sheriff at the door of his own house, and beat those who came to his assistance. Their numbers increasing, the troops from the fort and sailors from the Queen's ships were marched against them. This was in the evening, and before the armed men encountered them, the rioters fell in with two army officers, whom they assaulted, killed one, and wounded and beat the other. The

soldiers and sailors charged on the privateersmen and dispersed them : one was killed, and several taken prisoners, among whom was Erasmus Wilkins, who was tried and convicted of the murder of Lieutenant Featherstonchough. He confessed that with the sword taken from the other officer he run the lieutenant through the body. The blow pierced the heart. This man was executed for the murder, on the 26th.

December 25th is recorded as the coldest day ever known. For several days the Hudson was frozen over.

1706 January 21st is recorded as remarkably warm : and so for some days.

May 8th.—The common council petition Lord Cornbury to repair the fortifications, to repel any attacks of the French, and to mount the artillery, and to arm the inhabitants. Presented, and kindly received.

13th.—Lord Cornbury, the governour of the two provinces of New York and New Jersey, orders the inhabitants of New York city, “all persons,” to appear in arms on the first alarm. A visit from a French fleet was feared. The inhabitants were employed in fortifying the town. From two to four hundred men were daily at work.

19th—Another petition to Lord Cornbury, for arming the militia throughout the province, and begging him to adjourn his visit to New Jersey.

July 1st.—By computation, between four and five thousand might be assembled in arms in twenty-four hours, being the militia of New York, New Jersey, and the surrounding country. The militia of the city and the neighbouring counties, of the province is estimated at three thousand.

December 21st.—Rebecca Van Schaick, widow, appointed *pound keeper*.

1707 September 29th.—The rates of ferriage to Long Island : A single person, eight stivers in wampum, or a silver two-pence ; a hog, the same as a man : a sheep, half.

There are frequent notices of Indian slaves both in New York and Massachusetts. I presume the same in the other colonies. It seems that the good people of the good old times considered a dark skin proof of the bearer's being made for a white-skin's beast of burthen, if she or he could be seized upon. I find, for example : “Ranaway from her master, Nathan Baker, of Boston, on the 22d of August last, a tall, lusty, Carolina Indian woman, having long, strait, black hair,” etc. Again : in an encounter with a French vessel off the harbour of New York, “they fired at the pilot-boat, and they took an Indian slave that belonged to the pilot.”—Again : Mr. William Hallet, jun., of Newtown, Long Island, his wife, who was big with child, and five children, were all inhumanly

murdered by an Indian man and a negro woman, their own slaves, who are apprehended, and have confessed the fact: they said they committed the murder because they were restrained from going abroad on the Sabbath.

February 10th.—“The Indian man and negro woman mentioned in my last, who committed the horrible murder at Newton, on Long Island, were, on Monday the 2d inst., executed at Jamaica for the same, and put to all the torment possible, for a terrour to others.” On the Saturday following, two negro men “were executed at Jamaica as accessories, and several others are in custody.”

Here was a little negro-plot, preparatory to the great plot of 1741. “The chief-justice, judges, attorney-general, are indefatigable in the discovery of this negro-plot and bloody murder.”

1708 The 14th of December called the coldest day ever known in New England.

The house of assembly declared that it was the unquestionable right of every freeman in the colony to have a perfect and entire property in his goods and estate; and that the imposing and levying of any moneys on the subjects of the colony, under any pretence or colour whatsoever, without their consent in general assembly, was a grievance, and a violation of right.

1710 April 13th.—A petition is presented by the common council of New York to the honourable Gerardus Beekman, president of her majesty’s council, and the rest of the council, showing, that nothing contributes more to the happiness of a people than plenty; so nothing is more deplorable than the want of bread. The colony is threatened with want, in consequence of illegal practices of several inhabitants, as well as the agents of neighbouring colonies, by their engrossing and monopolizing wheat and selling it at unreasonable prices: and the arrival of 3,400 palatines from Great Britain being daily expected, who must be supported, will render the danger greater: they pray the council to take measures to prevent these evils.

June 13th.—Another petition to the council mentions the arrival of palatines, and more expected, who from the long voyage are grown very sickly, and have many contagious disorders, as there is just cause to believe. The common council are apprehensive, should they be permitted to land within this corporation “at this hot season of the year, it would endanger the inhabitants and obstruct trade; therefore they pray they may not be permitted to come within this city until they shall be in a full state of health.”

November 2d.—The usual bonfire ordered for the 5th. “Ordered, that the cage, pillory, stocks, and whipping-post be removed to the upper end of the Broad street, a little below the City

Hall, and be put up there. Mr. Recorder dissents from this order."

1711 February 3d.—"Whereas, evil disposed persons make it a common practice to go about the streets at the dead time of the night, breaking and destroying the glass windows," a reward is offered for their discovery and conviction. This is an instance of the low state of civilization at that period. The rowdies of the present day would not be satisfied with merely breaking windows.

March 3d.—Resolved, that the common council do meet at the City Hall at 9 in the forenoon of the first Friday of every month.

April 6th.—Ordered, that the treasurer forthwith purchase 18 rush-bottom chairs, and an oval table, for the use of this corporation.

June 1st.—The widow of Andreas Donn, deceased, is continued scavenger of the Broad street for one year, at £11 the year.

November 30th.—A law appointing a place for the more convenient hiring of slaves. "All negro and Indian slaves that are let out to hire within this city do take up their standing in order to be hired at the market-house at the Wall street slip, until such time as they are hired." This was the custom at Norfolk, Virginia, in 1820, and is so probably still, as in all towns where slavery is practised.

1712 November 22d.—Huybert Vandenberg, carman, in consideration of bodily infirmities, is permitted to ride on his cart in the street, provided he at no time ride faster than a foot pace.

1713 February 3d.—Ordered, that Francis Harrison, Esq. sheriff, be paid £36 10d. disburst by him "for iron work gibbets, cartage, and labours, firewood, and other materials and expenses for the execution of several negro slaves for murders by them committed in April last." This relates to what is called a negro-plot, at that time.

October 24th.—Richard Cooper is appointed publick whipper of the city, with a salary of £5.

November 3d.—Preparations for celebrating the anniversary of the gunpowder-plot by a bonfire and seven gallons of wine at the expense of the common council; and for the Queen's birth-day another bonfire, and five gallons.

1714 October 6th.—The governour notifies the death of Queen Anne, and that he shall proclaim Prince George King of Great Britain. The common council ordered seven or eight cords of wood for a bonfire, and twenty gallons of wine. The inhabitants are ordered to illuminate their houses, and a glazier is employed to mend the windows of the City Hall.

1715 April 7th.—A bonfire and seven gallons of wine ordered by the common council of New York, it being the day appointed by the governour for thanksgiving on his majesty's happy accession.

October 7th.—No freeman to be obliged to serve twice as constable. Resolved, that this corporation will pay £3 to the minister that shall preach to this corporation on the 14th inst., being the anniversary of swearing in the corporation. They used to give Mr. Vesey £5. The mayor is to speak to a minister accordingly.

December 20th.—An association read and subscribed by the common council, declaring the right of George I. alone to the throne, and promising to defend his right, against the pretender. Mr. Stephen Delancey, having been paid the sum of £50, as a representative of the city in the general assembly, presents the same to the corporation.

1716 February 23d.—Mr. Delancey having advised that said £50 be laid out for a clock for the city; therefore, it was ordered accordingly.

June 2d.—Inquiry to be made, whether Mr. Coddington did offer to serve as assemblyman gratis.

July 27th. A law for *regulating mid-wives* within the city of New York. No woman is to exercise this office, before taking an oath before the mayor and common council, to be diligent for poor and rich, and not leave the poor woman to go to the rich. Neither to cause nor suffer any woman to name or put any other father to the child, but only him which is the very true father of it indeed, according to the utmost of her power. Not to suffer any woman to pretend, feign, or surmize herself to be delivered of a child, who is not indeed; neither to claim any other woman's child for her own. Not to suffer any woman's child to be mutilated, maimed, or otherwise hurt, "as much as" she "may." And in case of danger to woman or child, to send for other mid-wives, and advise, counsel and assist therein. Not to administer any herb, medicine, or potion, to produce miscarriage. Not to "enforce any woman, being with child, by any pain, or by any ungodly ways," to pay more for her service than she otherwise would. Not to agree, or assist in bringing a child secretly into the world "but in the presence of two or three witnesses." Not to speak of the secrets of her office before any man, unless upon urgent occasion. Not to conceal any breach of these articles, but to inform the mayor, etc. To conduct honestly and with propriety in her office, and not perform it by deputy. Not to hinder any woman in labour from other advice of mid-wives. Not to conceal the birth of any bastard child, but to reveal the same to the common council.

August 4th.—"Ordered, that Susannah Wood have a license to retail liquors, gratis, being an object of charity."

1717 October 14th. Ordered, that there be a bonfire and wine
 “on *Sunday* next at night,” being the anniversary of the
 coronation.

December 21st.—The common council pay £5 17s. 3d. “for
 expenses of this corporation” at Parmelie’s house, on the anniver-
 sary of the coronation.

1718 April 16th.—Gilbert Livingston, Thomas Grant, Pa-
 trick Macknight, and John Nicolls, in behalf of themselves
 and the congregation of dissenting protestants, called *Presbyterians*,
 represent, that they have bought a piece of ground, contiguous to the
 City Hall, or near thereunto, with intent, speedily, to erect a meet-
 ing-house for publick worship, and they pray for the use of the City
 Hall for the same purpose, until their meeting-house is finished.

Granted : but not to interfere with courts.

1719 April 2d.—Alderman Blagge appointed pound keeper
 in New York, as Alderman D’Reimer had been.

October 14. Moses Levy, merchant, refusing as constable of the
 South ward, paid his fine of £15. Joseph Latham, likewise re-
 fused for the East ward, and is fined £15. The common coun-
 cil’s expenses on the anniversary of the king’s coronation, were
 £5 11s. 10½d.

1722 February 2d.—Mr. Nicholas Eyre on proving that he is
 an anabaptist preacher, is excused from serving as con-
 stable.

20th.—A law passed by the common council of New York,
 “restraining slaves, negroes, and Indians from gaming with mo-
 neys.” If found gaming with any sort of money, “copper pennies,
 copper halfpence, or copper farthings,” they shall be publicly
 whipped at the publick whipping-post of this city, at the discretion
 of the mayor, recorder, and aldermen, or any one of them, unless
 the owner pay to the church-wardens for the poor, 3s.

1723 July 25th.—The common council, in consideration of the
 services done by Captain Peter Solgard, of his majesty’s ship
 Greyhound, in seeking and engaging two pyrate sloops, commanded
 by one Low, “a notorious and inhumane pyrate,” one of which sloops
 he took, after a desperate resistance, and very much shattered the
 other, who, by the favour of the night, escaped—twenty-six of which
 pyrates were lately executed at Rhode Island—therefore, ordered
 that the freedom of the city, in a gold box, be presented to him—
 the arms of this corporation to be engraved on one side thereof, and a
 representation of the engagement on the other, with this motto :
 “Quæsitos Humani Generis Hostes debellare superbum, 10th
 Junii, 1723.” Charles Le Roux, goldsmith, is paid the 6th of Au-
 gust, £23 19s., for the above box and engraving the same. [This
 Charles Le Roux, appears at this time, as an artist in New York.]
 The corporation waited upon Captain Peter Solgard, and pre-

sented said box, which he “accepted with great satisfaction, and invited the corporation to a collation to-morrow night.”

1725 William Bradford, published a paper weekly in New York: it was called the New York Gazette, and advertised to be sold by Richard Nicolls, post-master. This was the first newspaper published in this city.* It is to be observed, that before New York had one newspaper, Boston had three.

1726 September 27th.—Governour Burnett met the assembly. Their number twenty-five. Four from the city and county of New York. Adolph Phillipse, speaker.

The papers are replete with advertisements of runaway slaves and servants. The latter appellation was applied to whites, either sold as convicts, (these principally were sent to Maryland,) or sold by agreement with the captains or owners of vessels, for a limited time, as a remuneration for their passage. One Hays, of Perth Amboy, advertises a runaway servant man, white, “a barber by trade.”

The coast of North America and the West India Islands, were vexed by piracies at this time, June 26th. A sloop of New London was taken, plundered, and released, by a “pyrat Snow,” William Fly commander, carrying six guns and twenty-three men. Pirates of the names of Low and Sprigs, were on the coast. The vessel of Sprigs was soon after taken by the Diamond ship of war, but he escaped by jumping overboard and swimming ashore. The Diamond likewise captured the vessel of Coupar, a pirate, but the captain and crew escaped to the shore. Another pirate of the name of Shipton, fell in with the Diamond, and was taken with a crew of eighty men, and carried into an island of the West Indies.

At Boston, about this time, arrived a Snow, commanded by William Atkinson, who, having been a passenger in a sloop from North Carolina, was captured during her voyage to Boston by Fly the pirate, who detained him, and forced him (as he understood navigation, which Fly did not,) to navigate his Snow: but Atkinson found an opportunity, with the assistance of three others, constrained men, to rise on the pirates, secure them, and bring them into Boston harbour. This pirate had been boatswain on board the Elizabeth, of Bristol, Green commander, and had, with four others, mutinied, murdered the captain and mate, and proceeded on a cruize, as a pirate. Fly, and his four guilty mates, were tried and sentenced to death, the principal to be hung in chains, July 10th. In October, five more pirates were executed in Boston harbour.

1727 At this time, large quantities of counterfeit bills were

* Thomas's history of printing.

manufactured in Dublin, in imitation of the New York and New Jersey money, and they were brought over sea by emissaries employed for the purpose. Some of these were apprehended while passing these bills, and the plot confessed by them.

In this year C. Colden wrote the first part of his history of the Five Nations, "on occasion of a dispute between the government of New York and some merchants." This was Governour Burnet's project of bringing the fur trade to Oswego, which opposed the views of English merchants, and their correspondents in Albany, who supplied the French with goods for the Indian trade from Montreal. Burnet's views were correct: he interdicted this trade with the French, and partly succeeded in drawing the Indians to Oswego from the West. Burnet communicated to Colden the "Register of Indian affairs," and Colden, then one of the king's council, wrote and sent this first part to England, where it was published.

1728 May 7th—"The ship Happy Return is lately arrived at the city of New York from Dublin, with men and women servants; many of the men are tradesmen, as blacksmiths, carpenters, weavers, taylors, cordwainers, and other trades, which servants are to be seen on board said vessel, lying over against Mr. Read's wharf, "observe, not at the wharf; and to be disposed of by John and Joseph Read, on reasonable terms."*

Another cargo of the same, in the ship George and John, is likewise advertised to be sold, and wheat or flour taken in payment, by "Mr. John Dunks, at the sign of the Jamaica Pilot on the Dock."

August 9th.—The general assembly of New York, among other grants to the king's government, give "For every negro, and other slave of four years old and upwards, imported directly from Africa, the sum of forty shillings current money of this colony. The salary of the governour to be £1,560 a year. For the governour's voyage to Albany, £150 a year. Salary of the chief-justice, £250 a year. The secretary, £30. Clerk of council, £30. To a searcher of the colony duties, £40. Land tyde waiter, £30. A guager, £30. Door-keeper of the council, £20. Clerk of the general assembly, 12s. a day. Door-keeper, 5s.

14th.—Josiah Millikin, of Musketo Cove, perriwig maker, denies the report that he was the informer who caused the seizure of certain wines and brandies in the cellar of Captain Walton, and swears to it.

October 16th.—The common council compliment Captain Covell Mayno, of his majesty's ship Biddeford, with the freedom of the

* Bradford's N. Y. Gazette.

city in a silver box, for his service in chasing from the coast a Spanish privateer that had landed men on Gardner's Island, and committed great depredations on the inhabitants. Cost to Mr. Le-roux for the box, £1 2s. 9d.

1729 June 27th.—The mayor notifies the common council that the speaker of the house of assembly, at the request of the governour, informed the house that Mr. David Humphreys, secretary to the society for the propagation of the gospel in foreign parts, by letter dated in London the 23d of September last, informed the governour that a large and valuable library of books, consisting of about one thousand volumes, had been bequeathed to them by the Rev. Dr. Milligen; and it was desired to deposit them in New York, with liberty for the gentlemen of Pennsylvania and Connecticut to borrow them. Ordered, to consider of a proper place for such a library. Resolved, to provide a large room for the reception of these books.

1730 March 3d.—Hooks and ladders ordered, for the prevention of fires.

23d.—The corporation resolved to make application to his majesty for confirmation of their charter.

In the petition for renewal of the charter, the council likewise ask the bounds of the city to be extended to four hundred feet below low water mark on Hudson's River; the sole right of appointing ferrys round the island; the grant of all docks and slips. That the mayor and council appoint all the officers of the city, as sergeants-at-mace, marshals, gaolers, surveyors, measurers, porters, etc.; the power to hold a court of common pleas every Tuesday; to have power to build a house of correction and other publick buildings; to have a patent (in confirmation) of the ferry and grounds on Nassau Island.

April 6th.—The governour says he will refer the petition to the council.

22d.—The library from the society for propagating the gospel, etc. arrives, being 1,642 volumes, to be placed in the City Hall until a place be made to receive them.

June 2d.—The books are put in the "assembly room, of which Alderman Phillipse has the key."

About this period, the anniversary sermon on swearing in the new mayor and council, for which Mr. Vesey used to receive £5, appears to be discontinued.

An act passed the assembly "to prevent poor and impotent persons being imported into this province."

Bradford's paper was one half sheet (or two pages,) and printed once a week. Afterwards during this year, Bradford increased his paper to four pages. The news is all European, except custom-house entries.

In October, the assembly of New York passes an act "for the more effectual preventing and punishing the conspiracy and insurrection of negro and other slaves."

December 6th.—Notice is given that the Boston and Philadelphia posts will set out to-morrow to perform the stages once a fortnight during the three winter months.

"Whoever inclines to perform the foot-post to Albany this winter, may apply to Richard Nichols, post-master in New York, and agree for the same."

1731 April 22d.—A law for regulating negroes and slaves in the night time. No negro, mulatto, or Indian slave, above the age of fourteen, shall presume to appear in any of the streets, or in any other place of this city on the south side of the Fresh Water, in the night time, above an hour after sun-set, without a lanthorn and candle in it (unless in company with his owner or some white belonging to the family.) Penalty, the watch-house that night; next day prison, until the owner pay 4s., and before discharge, the slave to be whipped not exceeding forty lashes.

A law to prevent strangers becoming a charge. Constables to inquire after inmates of all houses; and fined for not doing so; and housekeepers fined for not reporting strangers.

May 6th.—Two compleat fire-engines ordered. These are the first noticed, and I presume the first ordered for New York. Some merchant to be employed to send to London for them.

June 12th.—Stephen Delancey and John Moore, merchants, undertake to purchase the fire-engines, and deliver them to the council, at the rate of 120 per cent. advance on the foot of the invoice (exclusive of commissions and insurance,) the money to be paid within nine months from delivery.

A report prevailing in the country that the small-pox prevails in New York, the common council say there are but two persons in the city having the disease.

November 18th.—If more than three negro, mulatto, or Indian slaves assemble on Sunday and play or make noise, (or at any other time at any place from their master's service,) they are to be publickly whipped fifteen lashes at the publick whipping-post.

November 29th.—"Buried in this city last week, viz: Church of England, 2; Dutch church, 1; French church, 1; and blacks, 1. In all this week, 5."

In the month of August, the small-pox began to spread, and from the 23d of August to the 15th of November, 478 whites and 71 blacks died. On the 15th of November, the burials were 10. Thus, in two months and three weeks the burials were 549, viz: Church of England, 229; Dutch church, 212; French church, 16; Lutheran church, 1; Presbyterian, 16; Quakers, 2; Baptists, 1; Jews, 2. This may show the relative number of each

sect in some measure. During this prevalence of small-pox, there died in one week of October, 70 whites, 60 of them of small-pox, and 9 blacks, eight of them of small-pox.

December 1st.—A room ordered to be fitted up in the City Hall to secure the fire-engines.

Mr. Silas Wood states the population of the province in this year to be 50,291, and that of Long Island alone as 17,820, being one third. The city of New York contained 8,628. Of the above population, 7,231 were slaves.

An alderman and assistant were appointed to have the fire-engines cleaned “and the leathers oyled” and put into boxes to be ready for immediate use.

1734 Zenger’s Weekly Journal was published for 3s. per quarter (37½ cents)—Advertisements 3s. the first week, and 1s. every week after.

The advertisement of Gerardus Duykinck runs thus : “Lookin-glasses new silvered, and the frames plaine japaned ; also, all sorts of picktures made and sold, and all manner of painting work done. Also, lookin-glasses, and all sorts of painters’ coulers and oyl, sold at reasonable rates, by Gerardus Duykinck, at the sign of the two Cupids, near the Old Slip Market ; where you may have ready mony for old lookin-glasses.”

The fortifications that the French were erecting at Louisburg, excited the attention and jealousy of the people of New York, and two French vessels coming to New York for provision, alarmed them by sounding the channel as they approached the city.

1735 July 16th.—“The first stone of the platform of the new battery on White-hall Rocks, was laid by his excellency our governour, and it was called *George Augustus’s Royal Battery*.” As they fired a salute on the occasion, a gun (an old cannon) burst, and the pieces killed John Syms, high sheriff, Miss Courtlandt, daughter of Colonel Courtlandt member of the king’s council, and a son-in law of Alderman Reimer.

As this battery was on the White-hall Rocks, of course on the east side of the extreme point, I presume the Copsey Battery on the Copsey Rock, was on the point and a little west. Copsey is the corruption of the Indian name, for the point of the Island of Manhadoes or Manhattan. They called it *Capse*, which pronounced by the Dutch, would in sound, to an English ear, be Copsey.

1736 March.—The committee of the corporation on the house of correction and poor house, report, they have chosen a keeper—and as provision is made for the poor, they recommend that all beggars in the streets, be put to hard labour. That parish children be religiously educated and taught to read, write, and cast accounts, and employed in spinning, knitting, and sewing, to qualify them for

being put out apprentices. That fetters, gyves, shackles, and a convenient place, or whipping-post, be provided for the incorrigible. That a garden be fenced in around the house for the raising of roots and herbs for the poor in the house. That the inhabitants of the city have free licence to send to the said house all servants and slaves, there to be kept to hard labour, and punished according to the directions of any one justice, with the consent of the master or mistress. That the master or mistress pay 1s. entrance, and 1s. 6d. for whipping, and for discharge 1s., and 7d. per day, during confinement. Agreed to.

The multiplicity of gaming houses is complained of.

A certificate is granted, that James Alexander, has for about twenty years practiced as attorney and counsel in New York and New Jersey; and has been for fourteen or fifteen years, one of his majesty's council, with good reputation. That he was appointed attorney-general and advocate-general. And that he was appointed naval-officer by Governour Burnet. That he is of good life, and fair character, etc. And that he is a true friend to his majesty's succession, (the protestant succession.) This gentleman had sought refuge in the country, having been connected with the Scotch rebellion, and when his relative, the Earl of Sterling, died without male issue, was supposed to be heir to the title and estate, but did not apply in consequence of said connexion—Now, did he not seek and obtain this certificate when intending so to apply? His son applied and assumed the title, and was General Lord Sterling, in 1775.

July 22d.—Captain Garratt Fanhorn is thanked by the common council for serving as a representative in the assembly, without reward or wages.

1738 June 28th.—The mayor acquaints the lieutenant-governour that the small-pox is feared, as it is rife in South Carolina, and that a purple or spotted fever began to spread there. Ordered, that one of the pilots be constantly in waiting at or near Sandy Hook, and board all vessels, and acquaint the masters, (if coming from Barbadoes, Antigua, or South Carolina,) “that it is the order of this board, before they come into harbour, that they anchor as near as may be to Bedlow's Island; and there wait until they are visited by some of the physicians of the city—and not land goods or persons, or suffer persons to come on board, until report be made.”

1739 The American colonies raised and sent 3,000 men to assist the English at Carthagera; of these, many Highlanders made part.

George Whitfield produced at this time a salutary effect upon the manners of the colonists by his preaching. The house still remains [1837] in William street, New York, in which he instruct-

ed his hearers. Its peaked front and roof marks its antiquity, although it has been modernized. The street was then called "Horse and Cart street," from a sign of a horse and cart at a tavern door, opposite the house in which Whitfield discoursed, he occupying the upper story, which was then a sail loft.

1740 The winter of 1740--1 was emphatically called "the hard winter," and perhaps was entitled to that distinction until that of 1779--80. The severity of '40--1 continued "from the middle of November to the latter end of March." Snow, six feet on a level. The Hudson frozen at the city of New York.

August 26th.—A law to prohibit negroes and other slaves vending Indian corn, peaches, or any other fruit within this city. "Whereas, of late years, great numbers of negroes, Indians, and mulatto slaves have made it a common practice of buying, selling, and exposing to sale, not only in houses and yards but likewise in the publick streets, great quantities of boiled Indian corn, pears, peaches, apples, and other kinds of fruit, which pernicious practice is not only detrimental to the masters, mistresses, and owners, as the slaves absent themselves from service, but productive of fevers and other disorders among the inhabitants; therefore ordained, that any negro," etc., (those coming to market from the country or the Out ward of the city only excepted) after the 23d of August that shall be convicted before the mayor or aldermen of the above practice, shall be publickly whipped at the whipping-post, at the discretion of said mayor, aldermen, etc., unless the master pay six shillings."

In this year Colden says, J. A., which I presume to be James Alexander, wrote to a M. P., in London, from New York, that Governour Burnet's measures respecting the Indian (or fur) trade were successful. That he "chiefly with his money, credit, and risque, erected a trading house and fortification at the mouth of the *Onondagues* river, called Oswego, where the province of New York supports a garrison of soldiers, consisting of a lieutenant and twenty men, yearly relieved." He says, the Indian trade is now divided into one hundred hands, whereas before Burnet's scheme it was monopolized by a very few merchants trading to Montreal from New York and Albany, rich, and at their ease; the others, young men who carried the goods to Oswego, or further; and our settlements are extending even to the branches of the Susquehannah—

from whence to the Alleghany, a branch of the Mississippi.

1741 Even as early as this year, as if conscious that their mode of ruling the colonies was unjust and onerous, the governours of Great Britain intimated, through Clarke, their jealousies of an intention to become independent. Clarke, in a message to the assembly, says that "a jealousy for some years has obtained in England, that the plantations are not without thoughts

of throwing off their dependance on the crown of England." The assembly assured the governour that they could vouch that no such wish was entertained ; but this jealousy no doubt caused the wish to spring up, and like many prophetick sayings, tended to bring about the accomplishment of the predicting fear. England was ever jealous of the settlers of the American continent. They were called his majesty's plantations for a long time—then *our* colonies ; ever considered as a kind of property belonging to England ; but being *live stock*, it was property that might escape.

October 7th.—Common council at the house of Charles Leishare. The general assembly request the common council to consider of a bill for the due regulation and government of negroes, and the orderly keeping of a sufficient night-watch. They resolve, to raise £500 on the inhabitants, to pay for twelve able watchmen : to oblige masters of vessels to give security for strangers and servants brought by them, that they shall not become chargeable : for the punishment of mothers and reputed fathers of bastard children, by fine of £10 or corporal punishment.

1742 March 6th.—Ordered, that the indentures of Mary Burton be delivered up to her, and that she be discharged from the remainder of her servitude, and £3 paid her, to provide necessary clothing. The common council had purchased her indentures from her master, and had kept her and them, until this time.*

22d.—A law to restrain negroes from going to fetch water on a Sunday, other than to the next well or pump to the place of their abode, and from riding horses through the streets or out of town on a Sunday. The offender to be whipt at the publick whipping-post, at the discretion of one justice of the peace, unless the owner pay 3s. .

April 8th.—The mayor acquainted the common council, that Mary Burton applied to him in the presence of two witnesses for the payment of £100 ; as being the person that made the first discovery of the persons formerly concerned in setting fire to some houses : to which sum, she pretended to be entitled, by virtue of the request of this board, to the lieutenant-governour, and his proclamation of the 17th of April, 1741. Whereupon, ordered, that if any person will appear before this board, and make it appear to the satisfaction thereof, that such person is entitled to either of the rewards mentioned in the request and proclamation, that they will pay.

August 26th.—Ordered, that every Sunday morning, from daylight to the setting of the military guard, and from five o'clock in

* See Vol. 1, Ch. 21.

the afternoon, or at the discharge of the military guard to the evening of the same day, the following method be pursued, to prevent the scandalous and unchristian irregularities, lately so much practised by negroes, children, and others, on the sabbath-day, viz. : that one alderman, one petty constable, and four fire-men, do walk the streets, lanes, wharves, and alleys, during the time aforesaid. The officers taking turns, beginning with the senior alderman.

September 2d. George Joseph Moore, deputy secretary of the province, shows the board, that he is appointed by the court of chancery, guardian to Mary Burton. Whereupon are paid for her use £81, making with £19 paid for her freedom and necessities, the whole £100, the reward offered to any white person, that should discover any person or persons, concerned in setting fire, etc.

October 14th.—A committee is appointed to wait on the chief justice, and desire his opinion, whether any law exempts the people called Quakers, from serving as constables in this city.

22d.—The common council petition the general assembly, praying, that the negroes executed for the late conspiracy, be paid for out of the revenue.

1743 February 25th.—Robert Browne having been elected as constable for Montgomerie ward, objected to his Quakerism : whereupon, agreed, that he desire the opinion of the chief justice, whether or not, he was, or is compellable. The committee, who had been appointed on this question, report, that the chief justice declared his opinion, that no Quaker is compellable, it being an office of trust.

July 25th.—“Saturday last, the men belonging to the Castor and Pollux privateer, having found that a person who had entered on board their vessel two or three days before, in order to go the cruise, was a woman ; they seized upon the unhappy wretch, and ducked her three times from the yard arm ; afterwards, they made their negroes tar her all over from head to foot, by which cruel treatment, and the rope that let her into the water having been indiscreetly fastened, the poor woman was very much hurt, and continues now ill.” I read of no punishment inflicted on these naval heroes.

September.—An address to Governour George Clinton, and the freedom of the city in a gold box. The box to cost £20 and Le Roux to make it.

This Admiral George Clinton is described by the historian Smith, as easy in his temper, but incapable of business. He immured himself in the fort when in town, and when at his house in Flushing, amused himself with his bottle and a circle of dependants, who flattered him and played billiards with his lady, who governed him and prompted the schemes for making money out of the people. If he was not one of those described in after times by Col. Barré,

when he said publicly in parliamentary debate, ‘that to his certain knowledge some were promoted to the highest seats of honour in America, who were glad to fly to a foreign country to escape being brought to the bar of justice in their own,’ he was at least one who, among many others, embittered the minds of Americans towards their fellow-subjects in Great Britain, and prepared them, as good sometimes springs from evil, to first appreciate duly, and then resolve to attain, the blessings of self-government. He ruled ten years, and departed amidst the hootings of the people.

In this year, Cadwallader Colden sent to Linnæus a catalogue of the plants growing in Ulster county, New York.

1744 January 2d.—It is announced that there is just published “The American Magazine and Historical Chronicle, for October, 1743:—to be continued; price, 3s. 6d. per quarter.—N. B. Those gentlemen who have subscribed for this Magazine, are desired to send for it.” It was published by James Parker, who printed and issued the *Postboy*; the first year of which journal was completed January 16th.

The mode of cleaning the streets of New York at this time, as ordered by law, was, that all householders, etc. residing “within the six wards, south of the Fresh water, should every Friday rake and sweep together all the dirt, filth, and soil, lying in the streets before their respective dwelling-houses, upon heaps, and before Saturday evening cause the same to be carried away, and thrown into the river, or some convenient place,” under penalty of 6s. for each offence or neglect.

April 16th.—Appears an advertisement, saying “A Journal of the proceedings against the conspirators at New York” would be published shortly. This was the book of the Negro Plot of 1741 and ’2, by Horsemenden.

Advertisements of this date are mostly of privateers fitted out and preparing for a cruize, and the *news* is of captures and arrivals.

Murders and accidents form materials for the editors of newspapers then, as now, and bear a just proportion to the population. We are told that a man is found murdered at his own door; but on examination there is sufficient reason to believe that he made himself drunk and fell out of the window. This is, as it *might be*, now; but when we are told that “a lame woman having some words with a soldier, he drew his sword and cut her miserably down the back,” we are reconciled to our fortune in not living in the “good old times.”

1745 Cuffee, a negro, belonging to James Alexander, sentenced to death for breaking open his mistress’s shop, was to be executed on a certain day, but the hangman dying the evening before, he is respited until the next Friday. Thus death

saved Cuffee from dying, and he was finally reprieved and ordered for transportation or exportation; i. e. to be a slave elsewhere and rob another master.

The steeple of the new Dutch Church was set on fire by lightning, but extinguished by persons breaking through the cupola.

£5,000 were given by New York to the Cape Breton expedition, and £2,000 by New Jersey.

1746 March 3d.—The governour and council went to the assembly-chamber, at Greenwich, and met the members of that body; when, among several other acts passed, was one for raising money to fortify “Schenegtada,” and one offering rewards for such scalps and prisoners of the enemy as shall be taken by the inhabitants of (or Indians in alliance with) this colony. The small-pox prevailing at Greenwich, the assembly adjourned to West Chester, and then to Brooklyn.

June 9th.—The governour embargoes the port of New York for one month. The troops raised in New Jersey pass New York in batteaux for Albany.

October 13th.—Parker, the printer of the Postboy, is appointed keeper of the library in the City Hall, with liberty “to let or hire” any of the books. He announces that he has a printed catalogue, and that his terms are fourpence-halfpenny per week, for every book that shall be taken out, and security for its return. Attendance every Tuesday, at four o’clock P. M.

At this time, the Indians committed depredations around Albany, and as far south as Kinderhook.

23d—A bill was ordered to be brought in to raise £2,250 by lottery, towards erecting a college. The assembly and the governour disagreed, and they adjourned “without leave.” On the 5th of November, the house, by Colonel Phillips, Colonel Morris, Colonel Schuyler, Mr. David Clarkson, and Mr. Henry Cruger, sent to the governour a most undutiful representation, in which they blamed all his measures in fact, and particularly his patronage of one Roberts, (whom he commissioned as colonel, from being an officer of one of the independent companies, but who was connected by marriage with Lord Halifax) and who had acted illegally with respect to publick stores at Albany. Clinton, in his reply, added fuel to the flame, and justified himself and his creatures. The house resolved that his answer was unsatisfactory, and said they would grant no more supplies, without assurances of redress. The governour was alarmed, and promised redress. He then made requisitions for various purposes; and among them, for “paying for female scalps.”

1747 June 3d.—The common council ordered a petition to be prepared to the governour, to ease the city from the burthen of keeping a military watch, which is read next day; by which it appears that the inhabitants kept night and day watches in

Fort George. They wish Clinton to order down one of the independent companies from Albany, or one from the new levies at that place.

In June, the governour by proclamation prohibits inoculation for small-pox in the city of New York and county, fearing that in the event of an invasion, the country people would not come to the assistance of the citizens, from the dread of taking the disease.

October 2d.—The common-council order an Essay on the duty of Vestrymen to be printed at their expense to encourage works of this kind. Cost, £4 for fifty copies.

1748 August 11th.—Compliment of the freedom of the city of New York given to William Shirley, governour of Massachusetts, for his conduct in taking Louisbourg, and for meeting Governour Clinton at a council of the Six Nations at Albany.

To show the increase of the colonies from 1720 to 1748, I copy this statement of the value of imports from Great Britain to the northern colonies in ten years, from 1720 to '30; and in ten years, from '38 to '48.

In the first mentioned ten:	To Carolina,	£ 394,314
	New England,	1,747,057
	New York,	657,998
	Pennsylvania,	321,958
	Virginia & Maryland,	1,591,665
Total,		<hr/> £4,712,992 <hr/>

And 1738 to '48,	To Carolina,	£1,245,091
	New England,	1,812,894
	New York,	1,211,243
	Pennsylvania,	704,780
	Virginia & Maryland,	2,507,626
Total,		<hr/> £7,481,635 <hr/>

Here we see that the increase of New England is only	£75,837
While that of New York, is	553,245

The treaty of Aix-la-Chapelle, in this year, although it deprived America of the advantage she had obtained by conquering Louisbourg, did not secure her from the inroads and encroachments of those enemies which that conquest would have aided to protect her from. The French of Canada seized upon the disputed parts of Nova Scotia (left open to them by this surrender,) they erected forts on the western lakes and on the Ohio, and committed hostili-

ties by European and Indian forces on the frontiers of the colonies. The colonists, withheld by their English governours (who looked to St. James's for orders,) did not attack the French in return for some time, and as observed by historians, "this forbearance laid them under inexpressible disadvantages."*

Another consequence of the spirit and power which New England had evinced in the conquest of Cape Breton, was, that the ministry of Great Britain looked upon the colonies generally as having attained that state which rendered them fit subjects for taxation for the benefit of the mother country, who had suffered them to grow to such maturity by their own resources. Long before this one of the English governours bestowed on America, (Sir William Keith, in 1739,) suggested to his employers "that the duties of stamps upon parchment and paper in England be extended by act of parliament to all the American plantations." This was thought an excellent device for evading the necessity of additional taxes in England; but the minister of the time rejected the scheme. The ministry of 1748 revived the scheme, and consulted their tools in America: but it was thought impracticable, and relinquished for the present.

When the Governour "embarks" for Albany, a sloop is fitted up for his accommodation during the long and perilous voyage, and his safe arrival announced as a cause of national rejoicing.

Kalm, at this time, was in America. He describes the houses of New York as handsome! To be sure, beauty is a matter of taste. The inhabitants of Albany were not in favour with Kalm, (see his travels.) He complains of the Dutch *stoops* or *stoups*. "Outside of the doors of the houses here are seats which in the evening are covered with people of both sexes; but this is rather troublesome, as those who pass by are obliged to greet every body, unless they will shock the politeness of this town." These seats, and the custom of sitting on them, particularly of a summer's evening, were frequent throughout New York city, in my youth. I remember the custom associated with pleasant images, and have no recollection of its troubling any body.

1749 The British cabinet at this period had a project for introducing an ecclesiastical establishment on the model of that of England, with the order of Bishops, into the colonies. This was to control non-jurors and dissenters, and to strengthen the royal prerogative. This scheme was suggested by Buller, Bishop of Durham, and seconded by Secker, Archbishop of Canterbury. The society for the propagation of the gospel was insti-

* See Modern History, vol. 40., p. 196, and Walsh, p. 117, etc.

tuted as a part of this *political* scheme. As soon as this project was announced, its consequences to civil and religious liberty were perceived in America; and their guardians, particularly in New England, denounced the nefarious plan, and warned the people of the danger. After much debate, the champions of Episcopacy gave up their schemes for the present.

Although this engine for strengthening royal prerogative was postponed, the views respecting colonial dependency and subservience to the profit, ease, and convenience of England, were matured. It was openly avowed that the colonists were to be used for the benefit of the people of Great Britain, and restricted from all pursuits and every branch of industry which might interfere with British merchants and manufacturers. Already the maxim, avowed subsequently by Lord Chatham, that the colonists should not be permitted to manufacture a hob-nail, was adopted as the policy of England. But as iron abounded, and could be procured cheaper than from Sweden, and for British manufactures instead of money, that article was allowed to be imported in pigs and bars into the port of London alone. But all mills or other engines for slitting or rolling iron were prohibited under heavy penalties. The Americans had already proved that they could make nails and spikes cheaper than they could import them from England.

Another means of keeping the colonies in a state of subserviency was the introduction of negro slaves. Already, in 1745, a treatise appeared in London entitled “The African Slave Trade—the great pillar and support of the British plantation trade in America.”

In this year, Benning Wentworth, the king of Great Britain’s governour of New Hampshire, made a grant of a township six miles square, within the territory of New York: it was 20 miles east of Hudson’s River, and six miles north of the Massachusetts boundary line. This was the beginning of a controversy that caused some bloodshed and much ill will between the inhabitants of New York and New England. This town the governour called after himself, Bennington.

Samuel Williams, in the preface to his History of Vermont says very justly, “To have expected New York would voluntarily give up part of her territory and dominion to her neighbours, when the decisions of the king and the law were in her favour, was to expect that which is never done by any sovereign or nation while they have the power to prevent it.” But Wentworth had sold lands to the people of New Hampshire and others, who thought that a governour must have a right to do whatever he did; and they removed upon and cleared and built houses on what they considered their rightful property. Therefore, when New York claimed these lands, made valuable by the labour of the settlers, it was not to be

expected that these settlers "would submit, if they could avoid it," as Williams justly observes.

In November, and throughout the winter, the Post came in from Boston once a week.

In January of this year, the death of Colonel Thomas Hicks was announced, aged "above ninety." He died in Queens county: his descendants then amounted to three hundred. The death of Jacob Blackwell is recorded, who was six feet two inches in height, and weighed four hundred and twenty-nine pounds. But he only lived to the age of 42. In West Chester, John Hadden and Abigail, his wife, died within a few hours of each other, having lived lovingly together seventy years. He died at the age of 96, and she at 90.

1751 Crime was, in proportion to the number of inhabitants, wonderfully prevalent. A rogue and his wife, in the city of New York, enticed a person into a situation which seemed to give the husband a right to demand satisfaction, and by way of compromise he took a note of hand for £50. But the dupe, more tender of his money than his reputation, divulged the affair to a magistrate, and when the rogue demanded his money, he was secured for examination, exposure, and punishment.

A fact is mentioned of a man who had been confined in jail, who on his discharge, not being able to pay the jail-fees, was "sold out," to pay the dues. This is so mentioned as to appear a thing of usage. The selling of convicts for the benefit of Great Britain, and emigrants (to pay their passage) and slaves from Africa, and Indians who had been robbed or cheated of their hunting-grounds, seems to have had the effect of all evil habits upon our colonial ancestors. Even now, the atrocity of seizing upon a man, because black, and putting him in jail on *suspicion* of the crime of endeavouring to regain his liberty, is followed by the further atrocity of selling him (when he has proved that he never was a slave, or has been legally manumitted) to satisfy the fees or charges made against him, by those who had incarcerated him. Such things have been done in that portion of republican, free America, which is stained by the appellation of the slave states.

The City Hall in Wall street was then, as heretofore, the jail, and the prisoners procure to be published a call upon the charitable, saying, that they are without fireing, "not having a stick of wood to burn, nor have had for several days," and being "most of them strangers in the country, are destitute of the necessaries of life." This is dated from the City Hall. On the 16th of March they return thanks for relief.

In May, of this year, it is noticed that "as some workmen were digging down the bank of the North River, just back of the English

Church, in order to build a still-house, a stone wall was discovered, between four and five feet thick, near eight feet under ground, and it is supposed to have been a breast-work of a battery, though we can't learn that the oldest men living among us, know any thing of such a battery being there." So soon does the memory of events pass away. We have seen that the Dutch erected a battery to protect their New Amsterdam on the bank of the river, (i. e. on the ground behind the present Trinity Church, the river occupying Lumber street,) and in the space between 1615 and 1751 the remains had been buried, and the remembrance of such a place of defence passed away!

Houses in the city of New York not being numbered, the advertisements describe them by situation, or vicinity to some well known person, or the last occupant.

There appears at this time an attack upon Benjamin Woolsey, (the son of a clergyman of that name, who lived and died at Oyster Bay) charging him with injustice to the writer, Joel Burroughs, in his conduct as the guardian of said Burroughs's sister. The character of Mr. Woolsey was above all impeachment.

June 2d.—Mourning is ordered for the death of Frederick, Prince of Wales, (son of George II. and father of George III.) by authority. Some of the churches were hung with black.

There was an assembly at Albany, in 1751, of commissioners from several provinces to meet the chiefs of the Iroquois. Clinton, governour of New York, attended. The commissioner of South Carolina brought with him several sachems of the Catawbias, between whom and the Iroquois, deadly feuds had long existed. The commissioners prevailed on the hostile tribes to conclude a treaty of peace.

1752 St. George's Chapel, in New York, built; that is, finished, it being mentioned in 1750. It was consecrated on Wednesday, July 1st: Mr Barclay the preacher on the occasion.*

Localities—The Long Bridge was in Broad street, a planked walk leading from the Exchange toward Wall street, and covering a sewer, the remains of the creek, which formerly extended to Garden street, at the foot of Flattenbarick Hill. The Coffee-house Bridge, was in Wall street, a similar planked walk covering a sewer, between Queen street and Water street; this was a place for publick vendues or auctions of negroes, horses, or any other articles of sale: but whether this bridge existed in 1752, is doubtful. Cart and Horse street is described, as "leading to Rutgers's brewhouse," that is, from Maiden Lane to the present John street,

* This was Henry Barclay, rector of Trinity Church. This building was burnt on the night of the 5th of January, 1814, and rebuilt, so as to be consecrated in 1815.

and is now part of Gold street. The brewhouse was burnt on the memorable 25th of November, 1783, in the evening of the day the English troops embarked and left the city to Americans. Rotten Row, was a slip, or inlet, or creek ; for in January, 1752, the river being full of ice, the shipping was “squeezed into Rotten Row for shelter,” and the publick is congratulated, that *that* place had not been filled in.

January 10th.—The bay was so frozen, that a “merchant’s double sled” passed to and fro on the ice to Long Island and back again.

The word now pronounced and printed “Bos,” was at this time printed truly “Baas.” It is the Dutch for master. But an apprentice now disdains to call any one master, and is unconscious that he only uses another word for the same thing.

February 3d.—It is announced, that “several of the glass lamps put up about this city, were taken down by persons unknown, and left whole in the meat market ; thought to be done by some daring rakes.”

The severity of the winter continued, and at this date, vessels were frozen up in the cove, at Sandy Hook.

In May, William Bradford, printer, died, aged ninety-four. Was he the man who established the first printing-press in New York in 1693? He came to Philadelphia, or rather to the place where Philadelphia was laid out, about the year 1682, from England, where he was born. He was printer to the government of New York more than fifty years. He was conspicuous for temperance. James Parker, who as printer of the Gazette and Postboy, gives this account of Bradford, says, he served eight years with him as an apprentice. His funeral took place May 25th, 1752.

July 6th.—A house was broken open near the Merchants’ Coffee-house, and the burglar, E. Lee, apprehended ; but on the 19th showed that he could break jail as well as house. He escaped by sawing off his irons, and making his way to a dungeon below the place of his confinement, and from thence he found little difficulty in getting clear of the City Hall and prison, which was one building, and in Wall street.

The street now called Cortlandt street, (and long so called) appears to have had no name in 1752, as it is described thus : “the street leading from the Oswego market to the river side.” In 1729, the Oswego market did not exist.

1753 Doctor Johnson, Episcopal minister at Stratford, in Connecticut, was invited to take the president’s chair of the new College instituted at New York, and Mr. Whittlesey, a Presbyterian minister, of New Haven, as second master in the new institution. The great seal was put to the charter of the College, by which none but Episcopalians were eligible as presidents.

The justice or propriety of this measure is questioned in the paper of this time, called "The Independent Reflector, or Weekly Essays," etc. printed in 1753, "until tyrannically suppressed," says the title-page. After the province had by lotteries raised the sum of £3,443 for the use of a college, an Act was passed the 25th of November, 1751, to vest that sum in the eldest counsellor, the speaker of the general assembly, judges of the supreme court, mayor, etc. and virtually a college was established, and placed in the hands of gentlemen of the Church of England. This, the Reflector combats, taking the ground that no sect founded and supported by priests, should have a preference over Christians professing to be guided by revelation alone. The author claims the right to expose the views of men who would exalt one sect upon the ruins of all others.

It appears that at this time, the enemies of liberty, (that is the king's governour and council) having engrossed the "New York Mercury," another paper is set up, entitled "The Occasional Reverberator," at the new printing-office, Beaver street.

The improvements in travelling were at this time so great, that a man might (wind and weather and other circumstances favouring) arrive at Philadelphia from New York, or vice-versa, in three days, as the following notification specifies. "A commodious stage-boat will attend at the City Hall Slip, near the Half-moon Battery to receive goods and passengers, on Saturdays and Wednesdays; and on Mondays and Thursdays will set out for Perth Amboy Ferry; there a stage-wagon will receive them, and set out on Tuesdays and Fridays in the morning, and carry them to Cranberry; and then the same day, with fresh horses, to Burlington, where a stage-boat receives them, and immediately sets out for Philadelphia." That the reader may judge of the comfort and speed of this travelling, I will state, that the packet-boats were small sloops, navigated by a man and boy, or at most by two men, (a captain and mate;) and that, by the "outside passage," that is, through the Narrows, leaving Sandy Hook south, and proceeding by the great Amboy Bay, the vessel might be driven (and I have known instances) to sea; and when the weather discouraged the crew or captain from attempting the "outside passage," they went by the "Kills," or Arthur Kull sound, between Staten Island and the main land; which passage I have known to occupy three days, though ordinarily performed in one.

The improvements in travelling may as well be summed up here, as they continued much the same until after the revolution.

A second way to Philadelphia was by crossing the bay to Staten Island, in a perriaugur or pettyauga, a boat without keel, with two masts and two large sails, the lack of keel supplied by lee-boards—

all these managed by one man, who was likewise helmsman, and very frequently drunk. In a gale of wind you confided to this man (and perhaps an assistant boy) all your worldly hopes—including that of reaching Staten Island, which, if you arrived at, you crossed to the Ferry at Arthur Kull sound, and a scow carried you to the “Blazing Star,” (the sign of the Ferry-house being a comet) at Woodbridge; from thence you proceeded, crossing the Raritan in a scow at Brunswick, and the Delaware in another, at Trenton; another river was crossed on a floating bridge of planks, and on the third or fourth day, you might arrive at Penn’s city. The third and most common route was to cross the North River to Paulus Hook in a boat similar to that above called a perryaugur, with the same protection and guidance, but a shorter distance and less time for suffering; you then were dragged through marshes to Hackinsack river, and were ferried over in a scow; then to Passaic river, and as before, with no haste, ferried over; and then as above said, over three more rivers, and in about three days you might be set down at the “Indian Queen,” in Philadelphia.

In June, this year, by his advertisement, we learn that Hugh Gaine had his printing-office, and issued the Weekly Mercury, opposite the Old Slip market.

July 23d.—Gaine’s Mercury says: “Last Monday, twenty-two ladies of pleasure, who were taken out of several houses of ill repute in this city, were committed to the work-house; and next day five of them were condemned to receive fifteen lashes each, at the whipping-post, which was performed accordingly, before a vast number of spectators, with orders to depart the town.”

October 9th.—In common council, a committee was appointed to invite his majesty’s council, such members of the assembly as shall be in town, the captain of the man-of-war, with such gentlemen as came over with the governour, the treasurer of the colony, the king’s attorney, Mr. Rutledge, Mr. Gordon, Mr. Penn, and Mr. Oliver Delancey, to dine with his Excellency Sir Danvers Osborne, Bart., at the house of George Burns; and to order a dinner to be prepared, and a bonfire on the commons, near the work-house, and to procure three dozen of wine to be sent to the said fire; and that the City Hall, the Alms-house, and the Ferry-house be illuminated; that a half barrel of cannon-powder be provided to discharge some cannon that lie on the common, near the bonfire.

1754 April 8th.—“A subscription is now on foot” to raise money for erecting and maintaining a publick library in this city. Seventy gentlemen had subscribed £5 principal and 10s. per annum.

May 2d.—Trustees elected for the City Library for one year: James De Lancey, the lieutenant-governour, James Alexander,

Joseph Murray, John Chambers, John Watts, William Walton, Rev. Henry Barclay, Benjamin Nicolls, Robert R. Livingston, William Livingston, William P. Smith, William Alexander.

July.—At this time Whitfield preaches in New York.

October 14th.—The first books sent for, for the New York City Library, arrived with Captain Miller.

Of crimes and punishments, we notice that a lad convicted of manslaughter, is “burnt in the hand accordingly.” And a woman for stealing is whipt “at the whipping-post in this city.” She is said by the reporter, to have afforded diversion to the mob by resistance and otherwise.

In this year the government of the province of New York is thus stated in a publick document. It is *immediately* under the *government of the crown*. The governour is the representative of the king; a council and court of judicature resembling in some measure the house of lords; and a house of representatives resembling imperfectly the house of commons. The governour is appointed by the king; has the power of calling, proroguing, and dissolving the assembly, and has a negative on all laws presented to him. The council are appointed by the king, and are assistant judges with the governour, as chancellor, and in the court of appeal. The general assembly, elected by the people, choose their own speaker and officers, pass bills to send up to the council, and claim a right that all money bills should originate with them. From 1738 to the present time, the assembly have passed a bill yearly, in September, to provide for the salaries of the governour, judges, and other officers for the ensuing year, and to discharge other demands.

1755 In this year, the government of New York passed a law by which if one or more slave or slaves above the age of fourteen shall in time of alarm, or invasion, be found a mile or more from his or their owner or owners, without a certificate from the owner showing that he or they were authorized to be in such place, it should be judged felony without benefit of clergy, and making it lawful for any person to shoot or otherwise destroy them.

The mail carried once a week instead of once a fortnight, between New York and Philadelphia.

In February, James Gain, pursuant to his sentence, stood in the pillory, near the City Hall, in this city, (New York,) and was most severely pelted by great numbers of the spectators, there being some thousands present.

March 24th.—The post goes twice a week between Philadelphia and New York, to set out at ten A. M. and arrive at noon, the third day. The order is signed William Franklin, by order of the post-master-general, i. e. his father Benjamin.

June 14th.—The papers are filled with preparations for war, the arrival of troops, recruiting, etc. Near Kinderhook, four white

men, two boys, and a negro, having their fire-arms near them, were hoeing corn, when six Indians and a Frenchman fired on them, One white man and a boy were wounded. The negro and three other men and the boy ran off; but John Gardner ran to the loaded guns, and at two discharges killed two Indians; before he could fire the third gun, an Indian closed with him; the Frenchman ran up at the same time and knocked Gardner down; and while he lay insensible his enemies scalped him; probably the Indian being most skilful, performed the operation. As the *coup de grace* was not given, Gardner recovered from the blow, and crawled to his friends, unconscious of having lost his scalp.

August 25th.—A publick fast, by order of Lieutenant-governour Delancey, on account of the war.

September 8th.—Sir Charles Hardy having arrived on the 2d, is installed on the 3d, as governour of the province. The militia are paraded, guns fired, and his commission read at the City Hall, in Wall street. He then returns to the fort.

Hardy was a sailor, and Lieutenant-governour Delancey governs him, and acts as chief-justice at the same time. Smith gives a dialogue between him and some lawyers, in which the governour says: "I desired the chief-justice (Delancey) to be here: I can't take upon myself to say, I understand the law. I have been a justice of the peace in England; but I know nothing of the law. My knowledge, gentlemen, relates to the sea; that is my sphere. If you want to know when the wind and the tide suit for going down to Sandy Hook, I can tell you that." Such was the governour sent by England to rule the province of New York!

It is said that the first "original article" that ever appeared in an English newspaper, was from the pen of Dr. Johnson, and came out in 1758, in "The Universal Chronicle and Weekly Gazette," published by Newbury, St. Paul's Church-yard; and that the newspapers were a single leaf, quarto size, two pages, each divided into two columns. Hugh Gaine's paper, published in New York, 1755, was folio, and had occasional original essays. A newspaper was published in New York, called the *Plebeian*, (which I have not seen,) in 1754. Gaine's *Mercury*, 1753, folio. The *New York Gazette and Postboy* was in folio, and published by James Parker, from 1743 to 1752; and William Bradford began to publish the first newspaper that was printed in New York as early as 1725, and that was folio size; therefore the above assertions respecting

London newspapers is scarcely to be believed.

1756 In the *Postboy* of April 19th, 1756, is an account of

Owen Syllavan, a counterfeiter, many of whose adventures are romantick. He broke from guard on one occasion, seized a cutlass, and made his escape, through a crowd, who fled out of his way. He carried on his *vocation* in a cavern, the entrance to which was

in a swamp, and concealed by the roots of a tree, which with brushwood artfully placed for the same purpose, he could remove. He was once discovered in a hole, under the hearth of a country or farm house, the entrance concealed by a bed on which a woman was asleep. He had a chimney in his subterranean abode which communicated with the one above him. He was condemned in April, and in May respited, for want of a hangman.

Syllavan, "before he was *turned off*," said that he some time back struck off £12,000 of Rhode Island money, and passed above £1,600 in one day. He printed large sums of New York money, signed Oliver De Lancey, John Livingston, and Isaac De Peyster. He would not betray his confederates, took "a large cud of tobacco, and turning to the people, said, 'I cannot help smiling, as 'tis the nature of the beast.' " He was asked what denomination the bills were, which he printed, of the New York currency : "You must find that out by your learning," was his answer.

In this year, the population of the city of New York was 10,881, and of the province, 94,616.

At the *great carrying* place, (now Rome,) on the route to Oswego from Albany, the French and Indians stormed a feeble garrison and cut them to pieces. The commander's head was found placed upon a post, and his heart thrust in the mouth. This is a specimen of border warfare.

Robert Hunter Morris, Governour of Pennsylvania, offers to pay for every Indian male enemy, above twelve years of age, \$150 : for the scalp of such, \$130. For every female Indian prisoner, or boy under twelve, \$130. For the scalp of an Indian woman, \$50.

June 24th.—John Conolly was apprehended by a warrant from Judge Neville, of Perth Amboy, for the murder of an Indian woman called Kate, the wife of an Indian named George, belonging to the friendly Indians, and residing for many years in Somerset : he had registered himself and family, according to the governour's proclamation. It appeared by several depositions and by the confession of the prisoner, that he and three others had combined to murder George and his family, and carry their scalps to Philadelphia, to be delivered on oath as the scalps of Indian enemies killed in Pennsylvania, and thus obtain the reward offered by that government for Indian scalps. For this purpose the four heroes, armed with guns, cutlasses, and an axe, repaired to George's domicile, near Pepeck, in the night, where the family were asleep under the supposed protection of civilization, law, and christianity—broke open the door, and called upon the man to come out. As he did not immediately obey, Chesney fired his musket into the building, a hut of one apartment, or wigwam. George, unarmed and frightened by the ruffians, fled by an aperture in the back of his

dwelling, escaping two balls fired after him; but, by accident the Indian fell, which Conolly perceiving by the light of the moon, hastened with his axe to dispatch him. George, however, recovered, and escaped by superiour swiftness. Returning to the house, Conolly saw the woman endeavouring to wrench a musket from the hands of one of the assassins, who had presented it for the purpose of shooting her while imploring mercy, and with his axe despatched her by a blow on the head. After discharging the contents of the musket in the bosom of the dying mother, the wretches proceeded to the murder of the affrighted children, but only succeeded in mangling with wounds a girl of eleven years old, and inflicting some gashes on two infants; when, fearing that the neighbourhood would be roused by the man who escaped, the conscience-stricken murderers fled, without scalping the victims—all of whom they supposed dead. The neighbours found this family weltering in blood, when brought to the scene by the miserable husband and father! The children recovered by surgical aid, but the mother was found lifeless. We here see a part of the fruit of the Pennsylvania proclamation, offering a reward for scalps.

August 15th—Many accounts arrive of murders committed by the Indians, who generally committed their depredations in safety. At Elizabethtown, on the 19th of August, three men made their appearance, almost starved, and nearly naked, having been thirty-two days in the woods, after making their escape from the Indians of Venango, to which place they had been taken prisoners in May, and kept as servants to the captors until they made their escape. A farmer of the name of Swartwout, was killed and scalped about the same time; of his children they murdered the three youngest, and carried off a boy of nine years of age and a girl of twelve. Of such instances, where families who thought themselves in security, were in a night swept away, the stories are innumerable.

20th.—Died, at Oyster Bay, the Rev. Mr. Benjamin Woolsey, of that place. He was “a burning light,” and officiated “gratuitously.” He died of a Nephritick disease, which he suffered from for some years.

23d.—The governour laid the first stone of King’s College.

25th.—Albany—“Yesterday our young men who went out with some Mohawk Indians, arrived here; they took two scalps within forty yards of the French camp, the one a French officer and the other a soldier.”

September 4th.—The account given by John Cox, a lad of sixteen, who was a prisoner among the Indians, is descriptive of their manners and warfare. When he arrived, with the party who took him, at an Indian village, he saw about one hundred warriors, with their wives and children, and fifty English prisoners—men women, and children. Soon after, two war parties came in—one

with nine scalps and ten prisoners, and the other with five prisoners and some scalps. Shortly after, he saw eighteen warriors arrive, with seventeen scalps affixed to a pole, with which they proceeded to Fort Du Quesne to receive the reward. On one occasion, all the prisoners were assembled to witness the tortures inflicted upon one of their countrymen, who was doomed as a sacrifice for some reason to Cox unknown. During this lad's captivity, parties from twelve to twenty were constantly going and returning with scalps and prisoners: the latter they expected to receive ransoms for, and the former were paid for by the French. At length they felt the pressure of a want of food, and retired from the frontiers to their corn-fields. The lad, half starved, contrived his escape, and arrived at Philadelphia.

20th.—“Thursday, between the hours of nine and eleven, Mrs. Johanna Christiana Young and another lady, her associate, from Philadelphia, being found guilty of grand larceny last week at the mayor's court, are to be set on two chairs exalted on a cart, with their heads and faces uncovered, and to be carted from the City Hall, (then the jail,) to that part of the Broadway near the old English Church, from thence down Maiden Lane, then down the Fly to the White Hall, thence to the church aforesaid, and then to the whipping-post, where each of them are to receive thirty-nine lashes, to remain in jail for one week, and then to depart the city,”

November 10th.—Ordered, in common council, that the mayor issue his warrant “for the sum of three pounds, in order to cloath John Dugan, the present publick whipper, now in the poor-house, and his salary to commence from this day,” viz. £12.

In this year the New York privateers amounted to twenty; the men, 1,980; guns, 246. At Philadelphia, but one. Boston, one.

December 20th.—Lott and Low give notice that after the first of next January, all persons who wish to have vellum, parchment, or paper, legally stamped, must apply to them, at their stamp-office. This stamp duty was laid by the governour, council, and assembly, for one year.

Abraham Linsen gives notice to all retailers of tea under the quantity of 100lbs. weight, that they must apply to him for license, and pay 6d. for every pound retailed, within one year after the first of January next. This tax was for one year.

1757 January 10th.—The governour of Massachusetts calls upon the house of representatives, to take some steps toward settling the controversy with New York concerning the boundary line. He tells them that Hardy had written to him on the subject, and tells him that a man had been killed, in an affray, on the borders by an Indian belonging to Sheffield. “This is the second

person who has lost his life by means of this unfortunate dispute." Signed S. Phips.

31st.—Captain Rogers with a scouting party of thirty men, way-laid a convoy for Crown Point of sixty sleighs, 59 of which he destroyed, one escaped and alarmed the garrison : in consequence of which the French pursued Rogers, killed twenty of his men, and wounded him in the wrist. He brought in *eighteen scalps*. The scalping is practised so universally, that it appears in every newspaper column of this time. Sometimes the incidents are a little varied ; for example—a man goes out on a scouting party in Pennsylvania, but finding that the party are to lie out all night in the snow, he unluckily leaves them to go home to his bed ; but one of his intended victims is in his way, shoots him, and takes his scalp. Two men in a house near by, at the report of the gun, “ ran out and found the Indian *handling his scalping knife*”—being unarmed they ran in again and left the operator undisturbed. Another account of Rogers’ capture of sleighs, says that he took only six out of seven, and brought in no scalps.

April.—The New York post-master orders that posts should go twice a week between New York and Philadelphia.

May 25th.—Sir C. Hardy by proclamation assures all boatmen and marketmen who come to, or go from, the city, that they shall not be impressed while bringing “ provisions and other necessaries to the kings ships, or any of the transports in his majesty’s service.”

June 2d.—Archibald Kennedy, in behalf of his fellows of the kings council, signs a most dutiful and humble address to Governour Hardy, previous to his departure, and begs him when he shall come into the royal presence, to represent *them* in a favourable light. Dated from the council chamber, Fort George, and the governour’s reply has the same date.

21st.—Persons claiming a right under Massachusetts, to part of the Livingston Manor, assembled within eighteen miles of Hudson’s River, at a place called Tackhanick ; and being commanded by the sheriffs deputy, with an armed force, in presence of a justice of peace to disperse, instead of so doing shut themselves in a house and fired upon the posse—shots were exchanged, several were wounded on both sides and one killed : another died of his wounds.

The City of New York was at this time divided into wards, and was under the government of a mayor, recorder, seven aldermen, and seven assistants. The mayor, sheriff and coroner were annually appointed by the governour. The recorder had a patent during pleasure. The annual revenue of the corporation was about this time nearly £2000 or 5000 dollars. The militia of this island amounted to 2300. The number of inhabitants was 15,000, at the utmost ; of whom, 3,000 were negroes and slaves.

The north-eastern part of the island was at this time inhabited according to Smith, "by Dutch farmers, who have a small village there called *Harlem*.

November 21st.—On account of "worthy Colonel Peter Schuyler's" happy return to New York, several houses were illuminated and an elegant entertainment given at the King's Arms; and on the 27th the honourable Colonel Peter Schuyler arrived at his house at Peterborough, New Jersey, and was saluted with thirteen cannon—in the evening a bonfire, and continued discharges of cannon.

December 6th.—The general assembly meets at the Out ward of New York. Lieutenant-governour De Lancey tells them of the murders committed by Indians in Ulster and Orange—that he had ordered a line of block houses to protect the inhabitants of that frontier—barracks building in New York—immoderate use of spirituous liquors among the king's troops, and laws required to restrain the retailer—he recommends a poll tax upon slaves, and a tonnage upon vessels not built in this province or Great Britain; that is, on vessels of the other provinces; the first will encourage the coming of white servants, and the second that of ship builders.

1758 At Perth Amboy, Samuel Neville edited a literary periodical publication called "The New American Magazine." He chose to appear under the signature of *Sylvanus Americanus*. He was an English gentleman of liberal education, a judge of the supreme court of New Jersey, and had been editor of the London Evening Post. He resided at this time on his farm within the boundaries of the City of Perth Amboy, at the termination of Market street, as laid out and opened, (since known as Coddington's farm.) This magazine was published and printed at Woodbridge, by James Parker, and issued monthly: price one shilling per copy: each number containing forty pages octavo. It was continued twenty-seven months. The sale did not defray the expenses of printing.

November 14th.—The common council prohibit the sale of bass (or Twaalf) during the winter months in the City of New York.

Arrivals in a week; 4 schooners, 2 snows, 4 sloops, 1 brig, 2 ships.

17th.—Colonel Peter Schuyler, Dr. Stakes, Captain Martin, and Captain Putnam arrived at Albany, being released from their captivity in Canada. Putnam and others owed much to Schuyler.

December 4th.—An inn-keeper at New Utretcht is fined £5 for buying his shirt from a soldier.

11th.—During Colonel Peter Schuyler's captivity in Canada, his beneficence to his unfortunate countrymen was without bounds, his table being ever free to the distressed, and he expended upwards of 20,000 livres in redeeming prisoners.

1759 May 14th.—The New York regiment compleated to 2500 men embarked for Albany.

About this time I observe for the first time that the College of New York is called “King’s College.”

The advertisements of runaway negroes, and indented servants, are exceeded by those of deserted soldiers.

New Jersey raised 1000 men. Massachusetts 5000. Connecticut 3600. New York 2680. Pennsylvania 2700. Virginia 1000. Total 15,980. Connecticut raised more troops than New York.

Ames’s Almanack for 1759 made an attempt to describe the future history of our *then* colonies, in language which, though then prophetick, is now but faintly historical :—

Empires conceiv’d, a while in embryo lay ;
Then sprout and grow and branching spread away,
The book of fate contains all earthly things,
The state of kingdoms and the race of kings.
Th’ adventurous muse these brazen leaves unfolds,
And future days as present now beholds.
Where Powwow’s huts in wild disorder stood,
With lofty spires, temples are raised to God ;
On meadow bank, where savage pagans met,
Majestic halls of public justice set,
And splendid courts magnificently shine
With equal pomp to George’s royal line.
In time thy towers shall vie with Europe’s pride,
And crowned heads would gladly here reside.

November 10th:—The king’s birth-day kept with fire works and other rejoicings, and the militia company of grenadiers mustered at the house of Mr. John Marshall, at the North River, where they roasted an ox at their own expense, and eat and drank loyally. This company under Captain Vandyke were among the fugitives, if not among the fighters, at the battle of Brooklyn, in 1776.

The manner in which the war was carried on by the parties of French and their Indians, on the English and their Indians, is horrible to recollect, disgusting to bring to the imagination. We have seen how a party of Indians led by the French attacked the sleeping inhabitants of Schenectady in 1690. In this year Major Rogers an English officer, led a party from Crown Point against the Indian town of St. Francis. He had 142 men, officers included ; and after twenty-two days march through the wilderness, on climbing a tree to reconnoitre, the Major discovered that he was about three miles from the Indian town. In the woods he halted, and taking two officers with him on whose skill in ambuscade he could depend, he crept stealthily forward to the town and satisfied himself that the inhabitants were not aware of any approaching enemy, but in perfect security enjoying themselves in dancing.

He returned to his soldiers, made his disposition for falling upon the unsuspecting natives, and marched in silence his columns upon the different avenues to the village. Two hours before sunrise these Christian soldiers rushed upon the unconscious inhabitants, who were "all," he says, "fast asleep." They were murdered unresisting and unarmed—all, he says, except a few who fled to the water for escape; but about forty of the English followed and "sunk both them and their boat." He then set fire to the houses, and in the flames many poor creatures perished who had concealed themselves in "cellars and lofts." The Major adds, that "having killed upwards of 200 Indians, and taken 20 of their women and children," he turned off 15 of them, of course to perish in the woods, as all their shelter and food had been destroyed or appropriated—to avoid a party of French and Indians which he heard were on the alert; he then dispersed his men, appointing a place of rendezvous, and finally returned in safety.

1760 February 12th.—As a party of Major Rogers's men (about twenty-four) were escorting a sum of money from Ticonderoga to Crown Point, they were attacked by the French Indians to the amount of perhaps a hundred, who killed fourteen of the English, wounded others, (who fled back to the fort) and carried off the money, intended to pay the garrison of Crown Point.

August 5th.—The ship *Minohead*, Captain Forrest, arrived at Sandy Hook from Lisbon. A ship of war "lying in the road sent a boat to demand her men: but on refusal of the ship's company, who had seized all the small arms and confined the captain and officers," a signal was made by the men-of-war's men for assistance, and three boats came, manned and armed under the *Minohead's* stern, "sometimes discharging small arms and demanding admittance." The crew refused, and notwithstanding that the captain informed the naval officers (from his cabin window) that he was in confinement, and his officers, and the ship commanded by the sailors, the ship of war repeatedly fired upon the merchantman grape-shot, langrage and twelve pound balls, which damaged her spars and sails, killed one man, and wounded another.

September 8th.—The inhabitants of Montgomery ward protest against the corporation's taxing them for opening a canal in Ferry street. They say, as Englishmen, they are not to be taxed but with their consent given by their representatives in the legislature, and that the corporation has no right to tax the city or any part of it, without an act of assembly.

We have seen in this work specimens of the fruit produced, by the offer of a reward for every Indian scalp, whether belonging to man, woman, or child, that should be brought to the rulers of Penn's peaceful province. In this year, North Carolina to punish

the Cherokees for returning evil for evil, enacted a law, by which all Indian prisoners should become slaves to their captors, and every inhabitant should receive a reward for producing an Indian scalp. But judging from the Indian war in this region at this time, such a law did not tend to conciliate the ancient proprietors of the soil.

October 10th.—The common council ordered an address to his excellency, General Amherst, for his success in the reduction of Canada, and the freedom of the city in a gold box.

November 24th.—The address to Amherst is read. It attributes to him the annexing Canada to his majesty's dominions; and millions yet unborn, "while they reap the happy fruits of your martial virtues, will not cease to bless the name of Amherst." They detail the designs of France, and the ill success of the previous efforts against Canada, and speak of the advantages wrested from the French by Amherst's "unexampled conduct, seconded by the matchless heroism of the much lamented Wolfe," and in the Draft of a Freedom, the common council attribute the reduction of Canada "to the singular wisdom and valour of Amherst."

1761 January 11th.—On Sunday, the principal inhabitants of this city entered into mourning for the death of the king, (George II.) The churches were hung with mourning, and sermons preached, suitable to the occasion. An anthem was performed at Trinity Church.

15th.—The Narrows were frozen over.

17th.—George III. was proclaimed in New York. The city regiment of militia, and independent companies, were under arms, and marched from the fort gate to the City Hall. The independent company of Grenadiers paraded in the fort. The king's council, the mayor, common council, and clergy, with General Amherst and officers, attended at the fort when the proclamation was read, and the ceremony ended by three huzzas, and twenty-one guns from the fort. The lieutenant-governour orders the necessary change in the prayers, in all the churches in the province.

May 28th.—Philadelphia—On Saturday last commencement. "An Ode, sacred to the memory of our late gracious sovereign, George II., written and set to musick, in a very grand and masterly taste, by Francis Hopkinson, Esq., A. M. of the College of this city."* When he was a man, he wrote "The Battle of the Kegs."

September 18th.—Several of the ex-mayors claim to retain in their hands half the amount received by them during their mayor-

* See Parker's Postboy, of this date.

alties for “ stalls and standings;” and a committee advise to agree, reserving the right to all the monies proceeding from stalls and standings in future, or that £100 per annum be appropriated to the mayor for the time being, and the remainder to be for the common council.

October 30th.—An address ordered to “ his Excellency Robert Monckton, captain-general and governour-in-chief of the province of New York.” The freedom of the city with its arms on the lid of the gold box containing it, is presented.

1762 March 7th.—Colonel Peter Schuyler died, at his seat at Newark, in East Jersey.

18th.—Severe winter continuing to this date.

Counterfeiters abound, both of paper and hard money. At Poughkeepsie, a silversmith (Hamilton) committed on suspicion of making false money, hung himself.

A negro-plot was this year discovered at Schenectady. Three conspirators in jail—ten not yet taken. Another negro lately murdered his mistress and fled.

1763 April 18th.—Dr. Cooper was elected president of King’s College; Dr. Johnson having resigned.

May 16th.—King’s College receives a donation of 1,200 volumes—left to it by Dr. Bristow, of England. At commencement, May 23d, Messrs. Depeyster, Cuyler, Verplanck, Livingston, Watts, Bayard, Wilkins, Hoffman, and Marston, took degrees. All these names continue among the foremost in New York, to this day. Is not this a proof of the force of education?

Weyman publishes his Gazette in Broad street, opposite Synagogue alley. There being no numbers to the houses, directions are given in the advertisements by opposite to Mr. so-and-so, and next door to such or such a sign.

Under date of June 6th, a record of retribution is given. A slaver, or Guineaman, from Newport, Rhode Island, (the great slave-market for the southern planters,) was wrested from the captain and crew by the slaves they were preparing to bring from their friends and home, and the officers and some of the sailors were put to death. Other Europeans or Americans endeavoured to regain the vessel. The Africans defended themselves, but unused to gunpowder and firearms, blew up the vessel, and most of them perished. These scenes of murder were, and probably are, frequent.

November 10th.—There is in Holt’s Gazette a long account of disorderly people doing mischief and pilfering on Sundays, in the Bowery, particularly that a great number surrounded the orchard of Mr. Nicholas Bayard, where a large quantity of apples “ lay on heaps for making cider,” and Mr. Bayard being from home, the overseer was abused, who then ordered a gun to be brought, which

kept them off till dark ; when the orchard was attacked, and he fired at the legs of one, and wounded him. The family sent another gun, and a reinforcement of another white man. The loafers came on again, supposing the garrison out of ammunition, but received another shot in the legs of one of the party, who then retreated. Mr. Bayard, on returning, kept watch with his neighbours all night. All this occurred near the present Grand street and Bowery.

17th.—The assembly vote to raise 200 men for the defence of Ulster and Orange counties against the Indians.

I find at this time 2,000 firkins of butter advertised as arrived in one ship from Belfast, and a large quantity in another from Cork.

In November, a negro who was executed at Fresh Water, (probably where Centre street now strikes Pearl street) was cut down from the gallows by the mob, and dragged through the streets until *one* gentleman “put a stop to their inhumanity by seizing the corpse and ordering it to be interred.” It is thus that brutal violence will oft-times yield to and bow before moral courage. Why is not the name of this gentleman given?

December.—“To be sold, a negro-wench, now with child.” How forcibly such an advertisement marks the feelings of the time ! If it were possible now to see a fellow-creature advertised *to be sold*, how startling and atrocious it would appear ! but what printer in New York would dare to add the words which mark the sex and peculiar condition of the victim of avarice and injustice ? Whitfield was preaching in New York about this time.

23d.—“Whereas, it hath this day been represented to this board that John Carpenter, butcher, hath openly and contemptuously declared that he would sell his beef for 4½d. per lb. in spite of all the wise heads that made the law could do, or words to that effect,” he is ordered to appear before this board, at the house of Walter Brock, inn-keeper, near the City Hall, “to show cause why he should not be disfranchised.”

Jacob Arden, another butcher, is complained of, for speaking in a contemptuous manner, and publickly violating the law for assizing all kinds of provisions. The board request the mayor to remove him out of the markets, until he shall have obtained the freedom of the city.

Carpenter attended, and William Bayard, Esq. proved on oath the charge against him. The board ordered him to be disfranchised.

The former law of assizing, or fixing the price of provision, is repealed, and another passed, fixing the price of beef 4½d. per lb., pork 5½ per lb., veal, the hind quarter 6d., the fore quarter 4½d., mutton 4½d., butter 15d. per lb., milk 6 coppers the quart.

1764 January 12th.—For a long time, there appears to have been no publick whipper, but now James O'Brien is paid £5 for a quarter's salary.

The New York Gazette or Weekly Postboy is printed in Broad street, near the Exchange, by John Holt, who had been concerned with James Parker, but now has sole control. "Advertisements of moderate length, 5s. for four weeks, and 1s. for each week after."

19th.—On Sunday night last, (January 15th,) the city of New York was alarmed by the ringing of bells and cry of fire, arising from the riotous attack of a party of soldiers upon the jail, (new jail, now the record office.) They broke in, (the front door was open) with guns and axes, shouting Major Rogers! who was confined for debt. They demanded the keys of Mr. Mills, who refused: in their attempts to force them from him, he was wounded. The lights were extinguished, and they fired three shots through the grate of the inner door. A ball grazed the eyebrow of the man they came to set free. They forced the door, and demanded the Major; he said, "Here I am." One of them said, "You are my prisoner. He said, "I am afraid, gentlemen, you will ruin me." They told the debtors they would set them all free. The prisoners did not choose to be forced into liberty, and the soldiers seemed to be determined to give them *death or liberty*. The militia arrived in force, and the riot was quelled. On the trial of the soldiers, they said, that Rogers was privy to the attempt.

February 10th.—The Exchange is let for £80 per year. The "committee of the new jail" are empowered to cause to be erected opposite the said new jail a publick whipping-post, stocks, cage, and pillory.

People begin to think of looking for coal in America.

May Commencement held at St. George's Chapel. General Gage and his majesty's council, etc., present. Richard Harrison, seventeen years of age, delivered the salutatory oration—John Jay, a dissertation on the blessings of peace.

In May, a gold medal was adjudged, at Edinburgh, to Samuel Bard, of New York, student of medicine, "by Dr. Hope, for promoting the study of Botany."

June 18th.—"The New York Light-house erected at Sandy Hook, was lighted for the first time. The long wished for ferry, is now established, from the place called Powless's Hook, to the city of New York. The landing on the New York side is fixed at the dock, commonly called Miesier's Dock," opposite "Powless's Hook," distance three quarters of a mile. Also a ferry established across the "Kill Van Kull," from Staten Island to Bergen.

August 5th.—Alderman John Lawrence, of New York, died. Rev. Mr. Whitfield preached his funeral sermon, and he was buried in Lord Stirling's vault, at Trinity Church.

14th.—Alexander Forbes, “the present keeper or overseer of the work house or alms house and house of correction, having petitioned for more salary, ordered, the sum of £20 be given him, in consideration of the many perquisites he has lost, occasioned by the said house of correction being without any whipper for a considerable time.”

September 4th.—A question is raised, in the common council whether “the people residing on that part of New Jersey called Powle’s Hook, have any right of ferriage to and from this city.”

1765 January 10th.—A traveller passing from Albany to Boston, put up at a tavern and gave his bags with money in charge of the landlord. Next day proceeding, he found his horse lame and stopped at a blacksmith’s, who found the horse had been cut just above one of his hoofs, and some of the hair drawn through the wound. He inquired where the traveller lodged last night, and being told, shook his head and advised him not to pursue his journey through the woods alone. “I have good pistols!” “Examine them!” He did, and found that the charge had been drawn, and supplied with dirt. This confirmed suspicion, and the blacksmith advised him not to go on. The traveller persisted, and cleaning and reloading his pistols, pursued his way. The blacksmith, anxious for his safety, mounted his horse and followed. Before he overtook the traveller, he heard two pistols discharged, and soon met the traveller returning, who said, “I have done the business for two of them!” It being near night, he returned to the blacksmith’s and remained until morning, when they both entered the wood, and found the landlord and his son dead—the victims of their own plot to rob the wayfarer.

24th.—The grand jury return thanks to the judges, for deciding that it is illegal to appeal from a verdict of a jury, to the governour and council. This was one of the struggles of the governours for arbitrary power.

1766 At different periods, mobs assembled upon the eastern part of the manor of Rensselaer. They called at his house, and left a message for him, that if he did not appear at their place of rendezvous, they would come to him.

On the 26th of June, the sheriff of Albany, with 105 men, went to a house on the manor to disperse the rioters, of whom there were about 60. On the sheriff’s approach to the house, they fired upon him and shot off his hat and wig, without injuring him. Several shots were exchanged, and Mr. Cornelius Tenbrook, of Claverack, was killed, and seven others of the militia wounded. Three of the rioters were killed, and many wounded: among the latter, Captain Noble, one of the leaders. They retreated to Noble’s house, where they formed a breastwork and kept their ground until

the sheriff and his party left the place. On another day the rioters, or Pendergrast's party had a skirmish with a party of regulars, with some loss.

July 15th.—Gage writes from New York, to Conway, that the 28th Regiment had been ordered into Dutchess county to assist in executing the laws, and to quell riots; that a small body of Light Infantry had been fired upon by the rioters, and three wounded; the fire returned, some of the rioters wounded; all pursued and dispersed. That in Albany county a skirmish took place between the sheriff and his followers, 200, and a party of rioters; some killed and wounded on both sides, but the sheriff's party was put to flight.

Permission given by the king to the colony of New York to issue paper bills to the amount of £260,000, their currency.

28th.—Pendergrast, the rioter, having been taken, with others, Chief-justice Horsemanden embarked for Dutchess county to try them. Pendergrast was tried for high treason, and sentenced accordingly.

At the trial of Pendergrast, mentioned above, the court, besides the chief-justice, consisted of Messrs. John Watts, William Walton, Oliver Delancey, Joseph Reade, William Smith, jun., John Morin Scott, and Whitehead Hicks. The usual barbarous sentence against traitors was pronounced, and it is stated that the prisoner behaved very penitent. He was to be executed in September. Fifty or sixty others were fined, imprisoned, or pilloried. "Any person inclining to assist at the execution of Pendergrast, by applying to James Livingston, the sheriff of Dutchess county, will meet with a good reward; he shall be disguised so as not to be known, and secured from insults."

August 11th.—Depositions taken before the magistrates, state that on the 11th August, when the people had assembled to "erect a post that had been taken down the night before," (the liberty-pole in the fields) a party of soldiers with their bayonets in their hands, some unsheathed, and others in the act of unsheathing, attacked the people, cutting and slashing every one that fell in their way—the people retreating, pursued to Chapel street, (Beekman) and that among the persons cut and wounded, were Captain Sears and John Berrien. To these facts, sworn before John Cruger and Nicholas Roosevelt, we have the names of Theophilus Hardenbrook, Peter Vandervoort, Isaac Sears, John Berrien, Cornelius Berrien, Philip Will, and Ephraim Brasher. Major Brown, of the 28th Regiment, to which the soldiers belonged, said, on reading the affidavit, that he would "prove every word of it to be false," and Hardenbrook and Vandervoort threaten to prosecute him for his assertion.

September.—Sir H. Moore reprieves Pendergrast until his ma-

jesty's pleasure be known. Lady Moore releases, by paying their debts, all the prisoners at Albany, confined for less than £30.

November 17th.—Sir H. Moore sent a message to the New York assembly respecting the quartering of troops and finding necessaries, and they tell him that in providing for two battalions and a company of artillery, that had burthened their constituents beyond other colonies, they thought themselves entitled to commendation rather than censure from England; that they considered it their duty, to provide for troops on a march, and that by providing for them permanently and for an indefinite number, the burthen would be beyond their power.

18th.—Governour Moore lays before the assembly of New York Lord Shelburne's letter, in which he says, "I am ordered to signify to you by the king, that it is the indispensable duty of his subjects in America to obey the acts of the legislature of Great Britain, the king both expects and requires a due and cheerful obedience to the same." He therefore requires a compliance with the Act "for quartering his majesty's troops, in the full extent and meaning of the act." The governour adds, "that he flatters himself no difficulties can possibly arise, or the least objection be made to the provision for the troops as required by the act of parliament."

December 18th.—Governour Franklin writes from Burlington, New Jersey, that he had endeavoured to make his legislature do all required by his majesty for finding the troops, but they would only do as has been done before.

A sloop bound from New York to Fayal, commanded by Captain Harrison, became a wreck on the sea, from a storm, and the people reduced to the necessity of casting lots for life, or to become the food of the living. A negro was killed and eaten: this lasted seven days. Another man drew the lot of death, and became mad; but before he was killed, a sail appeared, and discovering them, although they had no canvass to hoist, relieved them.

The boundary line between New York and Canada is fixed at Lat. 45, which crosses Lake Champlain about two and a half miles north of Windmill Point, and is marked by openings made on each side of the lake, where several trees are girdled, and square posts set up, marked with the letters Y. and Q. (York and Quebec.) Sir H. Moore and General Carleton were present. While Moore was at Windmill Point, several Canadian gentlemen waited upon him and preferred their claims to lands on both sides of the lake, founded on grants from the French king, as far south as Crown Point. They were informed that these claims must be referred to the king and council.

The first Methodist church in America was erected this year, in John street, New York.

1767 January 17th.—There was a plan in agitation to establish by subscription a publick academy in New York for the study of architecture, sculpture, and painting.*

May 15th.—A bill was brought in parliament and passed, to punish New York for disobedience, in not complying with the orders for quartering troops, (as specified by his majesty) by prohibiting the passing of any law whatsoever in the colony.

Governour Bernard and his assembly of Massachusetts quarrel about the expenses of quartering troops, etc. This subject causes discontent all through the colonies.

A petition from the merchants of New York was presented to parliament, pointing out grievances under which their commerce lay, and praying such redress as would be beneficial to both countries. It was laid on the table and not noticed.

September 3d.—A soldier of the 16th Regiment drunk, and in company with two prostitutes, fell off the ramparts of the battery, and was drowned, although in shoal water; the women were ordered to be whipped at the workhouse. The accounts of crimes are great, in proportion to the population; but most are committed, as now, by Europeans.

Professors at King's College—Samuel Clossy, of Anatomy; Peter Middleton, Theory of Physick; John Jones, Surgery; James Smith, Chem. and Mat. Med.; John Tenant, Midwifery; Samuel Bard, Practice of Physick. Dr. Jones extracted a stone from the bladder of a boy, between four and five years old, successfully.

November 17th.—Twenty negroes “received the discipline of the whip, at the publick whipping-post, having been detected the Thursday night before in a junketting-frolick, designed in a poor white man's house, in the Out ward of this city, where two pigs, ready for the fire, and two gallons of wine awaited them; and though the proofs were not positive, they were such as left the design out of doubt. It is such houses that ruin servants, as the receiver is as bad as the thief.”†

A bill was brought into the house of assembly “to prevent the unnatural and unwarrantable custom of enslaving mankind, and the importation of slaves into this province.” It was changed into an act “for laying an impost on negroes imported.” This could not pass the governour and council; and it was afterward known that Benning I. Wentworth, the governour of New Hampshire had received instructions not to pass any law “imposing duties on negroes imported into that province.” Hutchinson, of Massachu-

* See Holt's Journal, of this date.

† Weyman's Gazette.

setts, had similar instructions. The governour and his majesty's council knew this at the time.

December 21st.—The Society for promoting Arts met. Philip P. Schuyler informed them that he had in the present year erected a flax-mill, at Saratoga, and the society adjudged him a medal and their thanks.

1768 January 1st.—The Presbyterians of this city, in communion with the established Church of Scotland, opened their Brick Church lately erected on the green. Preacher, Dr. Rogers.

28th.—Colonel Kalb, (afterwards so well known as Baron De Kalb,) with eight others, in crossing from the Blazing Star, New Jersey, to Staten Island, was the only person who escaped uninjured, the rest either dying, from suffering all night on a sand island, where the scow sunk, or being more or less frozen; some losing toes, others, feet. But Kalb, after being with the rest rescued from their perishing situation, instead of sitting with them by the fire, put his feet and legs in cold water, and took some refreshment, then went to bed, and got up unhurt by the frost. One gentleman, a Mr. George, died before succour arrived. Kalb died, fighting for the liberties of this country, at Camden.

February 12th.—The friends of James Delancey solicit votes for him, although he is in England, as he had declared before going that he intended to return soon enough to offer himself as a representative in the assembly, but is detained solely to serve America at the present parliament. Jacob Walton offers himself as a candidate, and requests the favour of votes and interest. Lewis Morris and John Delancey were the opposite candidates for Westchester borough; and Delancey elected by three votes.

13th.—Thomas Shrieve, coroner, receives £7 18s., for the burial of 49 bodies, for one year, ending 1st January.

March 3d.—The friends of James Delancey assure the publick that he is coming home.

Abraham Ten Broeck chosen for the manor of Rensselaer. Peter R. Livingston for the manor of Livingston, (he being a resident of Albany.) Jacob H. Ten Eyck and Philip Schuyler for the county of Albany. Dirk Brinckerhoff and Leonard Van Kleeck for Dutchess county. George Clinton was member for Ulster.

There were at this time four judges of the supreme court, viz: Daniel Horsemanden, chief-justice; David Jones, William Smith, and Robert R. Livingston, justices.

At New York Commencement, the following gentlemen took degrees: Benjamin Moore, (afterwards bishop,) Gouverneur Morris, John Stevens, Gulien Verplank, Robert Livingston, Egbert Benson—(all distinguished hereafter)—James Ludlow, Charles

Doughty, Peter Van Schaick, Rev. John Beardsley. Messrs. Moore and Morris were presented with silver medals by the Literary Society.

The state papers of 1768, of New York, are by Chancellor Kent compared with, and thought to resemble in style, spirit, and matter, the resolutions and addresses of the first continental congress, in 1774.* For these praiseworthy addresses and resolutions, the assembly was severely rebuked by Sir Henry Moore, and dissolved. Philip Schuyler and George Clinton were among the foremost leaders in these patriotick resolutions, and continued to exert themselves in the same station, until the termination of colonial legislation, in 1775.

1769 January 27th.—John Cruger, James Delancey, Jacob Walton and James Jancey, was elected to the assembly for the city of New York. The four successful members on the close of the poll gave £200 for the poor.

April 10th.—The assembly resolved that the thanks of the house be given to the merchants of the city and colony for their patriotick conduct in declining the importation or receiving of goods from Great Britain, until such acts of parliament as the general assembly had declared unconstitutional and subversive of the rights and liberties of the people be repealed.

The minority of the assembly, (and in which minority were Colonel Schuyler and George Clinton,) asserted that taxable freehold estate in the county or borough, qualified a person to be voted for the assembly though he did not reside therein. The majority determined to the contrary.

26th.—The assembly resolved, that non-resident freeholders had a right to vote for members of assembly.

May 8th.—Major Rogers was acquitted of charges preferred against him: but the deputy adjutant-general, says, there was reason to suspect him of improper correspondence, and his attempt to escape confirmed it.

10th.—The freeholders of the manor of Livingston, by petition, insisted that non-resident freeholders of the manor were eligible to the assembly—that it was a sacred and incontestable privilege in the English constitution, and according to usage in the colony. But the majority of the assembly held otherwise, and dismissed Mr. Livingston their member for that cause.

17th.—The assembly resolved, that no judge of the supreme court should have a seat in their house.

July 20th.—Simeon Cooley made his *amende honorable* to his fellow citizens of New York, for his opposition to the non-impor-

* See Chancellor Kent's Discourse before the His. Soc. of N. Y. p. 16.

tation agreement, by begging pardon, and promising to send the goods in his possession to the publick stores, and never offend again.

Similar apologies were made by traders in Philadelphia, Boston, New Haven, and other places.

Robert Murray of New York, is reported to own "more tons of, and value in shipping, than any house in America."

August 24th.—Theophilus Hardenbrook, and other house-carpenters, complain to the common council, that a number of country carpenters come into this city in the summer season, and follow their trade, and in the fall, return again to their families, without paying taxes or assessments, to the prejudice of the petitioners.

November 1st.—Celebrated by the Sons of Liberty, as that on which the inhabitants of the colony of New York, determined not to surrender their rights to arbitrary power, "however august."

Among the toasts—"The farmer of Pennsylvania—and the authors of the Boston journal of occurrences—and a total extinction of implicit belief."

22d.—Died, William Smith, (the historian of New York,) one of the justices of the supreme court, etc., aged 73. In 1753, he was made one of his majesty's council.

29th.—The house of assembly agreed with certain resolutions of the house of burgesses of the colony and dominion of Virginia, passed the 16th of May, 1769, "that the sole right of imposing duties on the inhabitants of the colony and dominion of Virginia, is constitutionally vested in the house of burgesses with the consent of the council and the governour. That it is the privilege of the colony to petition the king for redress of grievances, and lawful to procure the concurrence of the other colonies in the same. That all trials for treason or felony, or any other crime committed in the colony, ought to be tried within the colony.

December 18th.—The assembly voted that a certain anonymous paper was a false and infamous libel. It was signed as by a Son of Liberty, and was very abusive and inflammatory because the assembly had voted £2000 to supply the king's troops with necessaries. This was said to be betraying their trust and country: it was pusillanimous and contradictory to the spirit of the Massachusetts and South Carolina assemblies: it represented a coalition between the Colden and Delancey families. That the assembly understood they must be dissolved if they refused the vote. The writer recommends a meeting in the fields. The money was granted by twelve to eleven, so nearly was the house divided.

19th.—The assembly voted that anonymous papers and hand-bills reflecting grossly on the house for granting supplies for the troops in barracks were a false, scandalous and infamous libel, and requested the governour to offer a reward for the author.

21st.—Robert R. Livingston returned a member for the manor of Livingston, was rejected as disqualified being a judge of the supreme court. Colonel Schuyler, Colonel Woodhull, George Clinton, were for him. There were fourteen against and nine for him. This same point was debated the 25th of January, 1771, and Judge Livingston excluded.

In this year, Samson Occum, the Indian preacher, made a great impression, perhaps, from the novelty and known difficulty of educating the individuals of this people, or keeping them within the bounds of civilized society.

The celebrated Whitfield, preached with great effect, and was the precursor of Wesley's ambassadors of peace: and this year, the celebrated Daniel Boone, commenced his exploring expeditions into the western wilderness.

It was in this year, that, at the request of a board of commissioners, authorized by the legislature of New York and New Jersey, the celebrated David Rittenhouse fixed the point, where the parallel, which divides New York from Pennsylvania, was to be traced westward. The northern limit of New Jersey upon Hudson's river, is the 41st degree of latitude. The point where this parallel intersects the shore, was fixed by the astronomer at this time. The northern limit of both Pennsylvania and New Jersey, upon the Delaware, is the 42d degree of latitude; and this parallel continued westward, divides Pennsylvania from New York.

Rittenhouse was appointed by Pennsylvania, as commissioner to meet a commissioner from New York, and determine the place where this parallel intersects the Delaware.

In this year, Sir William Draper, better known as an opponent of Junius, than as conqueror of Manilla, came to America, and travelled from Carolina northward, at New York marrying Miss Delancey. He played racket or fives, with great skill, but found his match in New York, in a tin-man, who was the hero of the Tennis court or five alley in the fields, a short distance from the celebrated publick house, Montagné's or Montanyé's, where the Sons of Liberty met; the same Tennis court, where Sir Henry Clinton threw off his coat and his dignity, some years later. The tin-man, no doubt, beat Sir William easily, and used to say, that he could have done it with a wheelbarrow tied to one hand. Sir William bore this beating better than that of Junius. The next year, the knight returned to England, carrying his bride.

1770 January 9th.—A bill for electing representatives in assembly by ballot was denied a second reading. For the bill twelve, (including Colonel Schuyler, Colonel Woodhull and George Clinton,) against it thirteen.

11th.—A bill was introduced by Mr. Thomas to limit the general assembly of the colony to three years from every dissolution. Members of assembly at this time were chosen by freeholders only.

February 2d.—In common council, “Mr. Mayor communicated to this board, that he lately received a letter directed to him in the words following: To the Worshipful Whitehead Hicks, Esq., Mayor of the City of New York; Sir,---A very great number of the inhabitants are determined to erect another liberty pole, as a memorial of the repeal of the Stamp Act; they consider no place so proper for it as that on which the other pole stood; but if contrary to all expectation the corporation should not be disposed to give leave to have it raised there, we cannot conceive that they can have any objection to its being fixed opposite Mr. Van Dan Bergh’s near St. Paul’s church, a small distance from where the two roads meet, which we have reason to suppose will next to the other place be most acceptable. If the board should not think proper to grant liberty for its erection on neither of the above places, as in that case no monument of freedom will appear in the fields, (the most publick place) the people are resolved to procure it a place in the fields on private ground, and as the pole will be finished in a few days, we are appointed a committee to wait on you to request that you will be pleased to quicken an answer from the corporation on this subject. We are, Worshipfull Sir, your humble servants, Jacobus Van Zandt, Isaac Sears, Joseph Bull, Joseph Drake, Alexander Mc Dougal.

“Which letter being read, a debate thereupon arose, whether the request therein made should be granted, and the question being put thereon, it was carried in the negative in the manner following. *For the negative*—Mr. Recorder, (Thomas Jones) Messrs. Filkin, Desbrosses, Gautier, Duykman, Buyce, Jacob Brewerton, Huggit, and Van Waganer. *For the affirmative*—Messrs. George Brewerton, Blagge, Lott, Abeel, Cürtenius, and Van Varick. Ordered therefore that the above application be rejected, and the same is accordingly.”

Mr. Van Varick moved that the doors of the common council be left open during sittings, which was adopted eleven to five. Elias Desbrosses, Andrew Gautier, John Duykman and Matthew Buyce voting in the negative.

15th.—Two large chairs ordered—one for the mayor and the other for the recorder. And rules ordered to be drawn up to be observed when the doors are open.

May 9th.—The lieutenant-governour and council, and several members of the general assembly, [of course not the whole assembly, and probably a small minority] state that “they are desirous that the statue of his present majesty which is now daily expected from England, might, on its arrival, be erected in some part of the

Bowling Green fronting the fort. The leave of the common council is requested. This was unanimously agreed to.

August 21st.—Being the birth-day of Prince Frederick, (the father of George III.,) “an elegant equestrian statue of his present majesty, George III. was erected in the Bowling Green, near Fort George. On this occasion, the members of his majesty’s council, the city corporation, the corporation of the chamber of commerce, the corporation of the marine society, and most of the gentlemen of the city and army, waited on his honour, the lieutenant-governour, C. Colden, in the fort, at his request; where his majesty’s and other loyal healths were drank, under a discharge of thirty-two pieces of cannon from the Battery, accompanied with a band of musick. This beautiful statue is made of metal,” [the writer did not on such an occasion like to say *what* metal represented his royal majesty, the best of kings—it was lead,] “being the first equestrian one of his present majesty, and is the workmanship of that celebrated statuary, Mr. Wilton, of London. We hear that in a few days a marble pedestrian statue of Mr. Pitt will be erected in Wall street.” This statue of George III. stood till some time in 1776. I saw it in 1775. In 1776 it was thrown down, and tradition says, converted into bullets, to resist his gracious majesty’s soldiers, when sent to enforce the doctrine of “the sovereignty of British parliament over the colonies, in all cases whatsoever”—the doctrine of Mr. Pitt, Lord Chatham, which he died in an effort to enforce. The pedestal stood until long after the revolution. No fragment of the horse or rider were ever seen after its overthrow; and so completely had the memory of this event, (the erecting the only equestrian statue ever set up in New York,) been lost, that I have never found a person who could tell me on what occasion it was ordered, or when placed, in the Bowling Green. It was not until recently, that I met with the foregoing announcement in *Holt’s Gazette*.

September 10th.—Governour’s Island is still called Nutten Island. Announced, that on the 7th, a marble pedestrian statue of Lord Chatham was erected in Wall street. The statue is described as being in the Roman habit; the right hand holds a scroll partly open, wherein we read *Articuli Magnae Chartae Libertatum*; the left hand is extended—the figure being in the attitude of one delivering an oration. On the south side of the pedestal is the following inscription cut in the marble. “This statue of the Right Honourable William Pitt, Earl of Chatham, was erected as a publick testimony to the grateful sense the colony of New York retains of the many eminent services he rendered to America, particularly in promoting the repeal of the Stamp Act, Anno Dom. 1770.”

24th.—John M’Clean, who had been a drummer in the army of William III., died in Orange county, New York, 109 years old.

30th.—The celebrated Whitfield died at Newburyport.

December 17th.—The common council resolved to close the doors of their chamber, during their sittings. The vote stood eight to five.

Edmund Burke was in this year appointed agent for the province of New York.

1771 In Holt's New York Journal, or the General Advertiser, of January 3d, is to be found the following curious narrative, of what we must presume, to have been spontaneous combustion :

“ On Monday evening, the last day of the year, the following dreadful and surprising accident happened at a house in Division street, in this city. One Hannah Bradshaw, (who on account of her large size, robust appearance, and bold behaviour was commonly known by the name of *Mass-of-war Nance*;) said to be about 30 years of age, has lived a dozen years or more in this city, was a healthy, hearty looking woman, remarkably industrious and neat in her person and manner of living, but bore a bad character with respect to chastity and sobriety—living in an upper room, which had no connection with the rooms below, occupied by a family. On the evening of the 31st December, she desired a young woman who worked for her, and was going home, to come again early the next morning; and about 7 o'clock the same evening, another acquaintance of her's parted from her, at which time she seemed to have drank a little too freely. No person lived with her, and she was generally alone in her room, close shut. She was neither heard nor seen again till next day, when the young woman came to work, who, after knocking and calling, and having waited till past 11 o'clock, with the assistance of the man who lived below, she got through a back window, and opened the door; when, looking within a screen which went quite across the room, and was fitted to reach the ceiling, she beheld the remains of the unhappy Hannah Bradshaw the most shocking spectacle imaginable. The body, or rather the bones were lying near the middle of the floor, wherein a hole of about four feet diameter was burnt quite away, and the bones lying on the ground, which was about a foot beneath that part of the floor. The flesh was entirely burnt off the bones of the whole body and limbs, except a small part on the skull, a little on one of the shoulders, the lower part of the right leg and foot, which was burnt off at the small, almost as even as if cut off, and left lying on the floor, the stocking burnt as far as the leg and no farther. The bones, some of which were black, and others white, like a pipe-stem, were so thoroughly burnt that they might be crumbled to dust between the fingers; the bowels remained unconsumed. One of the sleepers, which lay under the shoulders, was burnt almost through; part of the head lay on the planks, at the edge of the hole, and near it a candle-stick, with part of a candle

in it, thrown down, but did not appear to have touched any part of the body, or to have set any thing on fire; the tallow was melted off the wick, which remained unscorched by the fire, as also the screen, which almost touched the hole. The leg of a rush-bottomed chair, and about half the bottom were burnt, so far as they were within the compass of the hole on the floor, and no further. The ceiling of the room, which was white-washed plaster, was as black as if covered with lamp-black, as also part of the walls and windows, and the heat had been so great as to extract the turpentine from the boards of the wainscot. After all these operations, the fire went entirely out, so that when the body was found, not a spark remained. It is extremely surprising that with such an intense degree of heat as was necessary so entirely to consume the floor, etc., with the body, and to calcine the bones, the fire should have stopped of itself, without burning the house or even scorching the screen; which is hardly conceivable if the fire had blazed, and if it did not, it is equally inconceivable that the heat should have been so intense. As there was a chimney in the room, and a cellar under part of the floor, with which the fire opened a communication, it could not have stopped for want of air. It is said, the person who was left in company with the woman, at parting, told her he should see her no more till another year—little thinking, as it was so near, that she would not live to see it—that she was then on the brink of eternity; and that before morning light her soul would be required of her.”

Some apparent discrepancies may be noticed; such as the woman's apartment being called an upper room, and yet some of the bones having been found on the ground in the hole; but I account for this by the supposition that another tenant of the small wooden house lived in a cellar, under a part of this upper room; an upper room only from its being above ground.

In *Gaine's Mercury*, of January 7th, 1771, the same account is published. If there had been any thing wrong in the statement, four days would have brought it to light.

February 25th.—Mr. Justice Livingston, who had three times been refused a seat in the assembly, was again elected for the manor of Livingston.

May 3d.—The common council resolve, “whereas, the general assembly of this province, hath lately been at the great expense of sending for an equestrian statue of his present majesty, and erected the same, on the green before his majesty's fort in this city, and this board conceiving, that unless the said green be fenced in, the same will very soon become the receptacle of all the filth, and dirt of the neighbourhood, in order therefore, to prevent which, this board has unanimously agreed, to fence in the same with iron rails and a stone foundation, according to the plan now exhibited to this

board, and have contracted with Richard Sharpe, Peter T. Curtinius, Gilbert Forbes, and Andrew Lydall, for completing the same, for the consideration of £800."

July 9th.—An address ordered, and the freedom of the city, to William Tryon, Esq., captain-general, governour, etc., etc. The gold box to cost 20 pistoles. And, that the City Hall, New Jail, Work-house, and Ferry-house, at Nassau Island, be illuminated, "as a compliment to his excellency, Governour Tryon."

The British ministry at this period, appear to have been perplexed, both by European and American affairs. Many were the writers, both in England and in the colonies, who employed their pens and the press, on the subjects in controversy between Great Britain and America. The Dean of Gloucester, Dr. Tucker, boldly advocated an immediate separation of the contending parties. He contended, that the situation of the British colonies, was now such, that it was for the advantage of England to release all claims upon them, and establish them as independent states. It is needless to say, that (like others, who are in advance of the time in which they live,) he was considered by his countrymen as wild and visionary. Yet, a few years convinced them, that he was a wise man, and a seer. Of a very different character were other English writers, Adam Smith, Samuel Johnson, and George Chalmers, who were distinguished among the many champions of the right of Britain, to rule her colonies with the rod. On the other hand, Price and Priestly, stood forth in defence of the rights of their fellow subjects beyond the Atlantick. Among ourselves, Otis, Dickenson, and Franklin, were at this time most conspicuous as authors in support of American self-government. Of these, Otis was snatched from the ranks of patriot combatants in this year, by an aberration of reason, perhaps, occasioned by his intense devotedness to the cause of his country. Nor must we forget the efforts of Witherspoon, who pleaded the cause of the country he had chosen, both in his sermons, and by addressing the Scotch residents in America, his native countrymen and fellow subjects.

The population of the city of New York at this period, is said to be 21,163; Long Island, 27,731; of the whole province 163,338.

The *flying machine* used to go once a week, to and fro, between New York and Philadelphia.

1772 January 12th.—The assembly voted Governour Tryon a salary of £2,000. He informed them, that the king's instructions forbade him from receiving any present or gift from the assembly.*

* Lord Dunmore, his immediate predecessor, had refused a similar offer.—See Vol. 1, p. 449.

16th.—The assembly resolved, that a person must have been a resident for six months previous to election in the place he is elected to represent.

1773 February 2d.—The governour recommends an increase of the salaries of the judges of the supreme court, the present annual allowance being wholly inadequate.

March 8th.—The assembly entered at large on their journals, a state of the right of the colony of New York, with respect to its eastern boundary on Connecticut river, so far as New Hampshire was concerned. They contended for the priority of possession by the Dutch. They (the Dutch) had in 1612, a town and fort, (near New York) and in 1614, a town and fort, (near Albany.) Previous to 1614, the States-General, granted a patent to some of their subjects, with the privilege of an exclusive trade in this country, which they called New Netherland. In 1623, the Dutch erected Fort Nassau, on the east side of Delaware bay, and Fort Good Hope, on Connecticut river, thirty-five miles above the mouth, (Hartford.) The Dutch enjoyed the exclusive trade, and possession of the whole of Connecticut river, long before the English had approached it: and they had purchased almost all the lands on both sides of it, from the natives. It is clear, they claimed all the country to the west of Connecticut river, and as far north, as the river St. Lawrence. [They refer to Ogleby's America, published in 1671, with his map; and to Blave's America, published at Amsterdam in 1662, Vol. II., and his map: and to Johannes Van Kulen's Atlas.]

The Dutch governour, Stuyvesant, in his letter of the 2d September, 1664, in answer to a letter from Governour Nicolls, denies the king's title, and insists on the right of the States-General, founded on first discovery, purchase from the native proprietors, and long, and uninterrupted possession. He was obliged to surrender all the country on the 27th August, 1664, with a stipulation that his people should enjoy their land, wherever they were in the country. The States-General ceded the country to Great Britain by the treaty of Breda, 1667, and again by the treaty of London, 1674. The Duke of York's title to the tract of country so conquered, was by patent, 12th March, 1664, confirmed 29th June, 1674. It included Manhattan and Long Island and Hudson's river, "and all the land from the west side of Connecticut river, to the east side of Delaware bay," The Duke of York's commission to Governour Andros, July 1st, 1664, and to Colonel Thomas Dongan, September 30th, 1683, expressly comprehended all the land as aforesaid. The Duke of York's, right as proprietor, was merged in the royal authority when he became king, and on his abdication, it passed to King William as lord proprietor. All the royal commissions to the

governours, were to the province of New York, and the territories depending thereon. The province has been diminished by the erection of New Jersey—by the agreement of the boundary line with Connecticut, in 1683, and by the limits of Quebec in 1763.

As to the Connecticut claim---The New England colonies were founded on the grant of King James I., November 3d, 1620, to the council of Plymouth, of property and jurisdiction in America from 40 to 48 degrees, north latitude. This patent was not intended to interfere with the Dutch, for it states, that the king is given to understand, that there are no other subjects of any Christian state, or by any authority from their sovereigns, actually in possession of any of the said lands, and that the premises intended “were not then actually possessed or inhabited, by any other Christian power or state.” This patent was founded on false suggestions, and the saving clause excluded the Dutch.

The council of Plymouth by deed, 19th of March, in the third year of Charles II., granted Massachusetts to Sir Henry Roswell and others; and in 1628, March 4th, they obtained a royal charter, with ample powers of government. The grants were east and west from sea to sea. But still founded on the patent of 1620, and valid only, so far as that was; and there was in that, an express declaration, that if the lands were at the time possessed by any Christian power or state, the grant as to such part, should be utterly void. The Massachusetts charter was vacated, and recalled, and the title of Massachusetts rested on the new charter of 1691.

The colonies of Hartford and New Haven, settled at first without any legal authority. They assumed jurisdiction as voluntary associations. The Dutch at first considered the people of Hartford as their tenants, by the Dutch resolution, entered on their records at the fort in Amsterdam, at New Netherland, July 9th, 1642. The English never acceded to the idea. In 1643, the four colonies, (Massachusetts, Connecticut, Hartford, and New Haven,) federated against the Dutch and Indians. Governour Stuyvesant, in 1660, considered his situation most critical, from the demands, encroachments, and usurpations, of his eastern neighbours: ---But he says, “the right of both rivers by the purchase and possession, is our own without dispute.”

The Connecticut patent of 1663, was not intended to interfere with the Dutch colony. For in this year, afterward, the king expressly granted all the country to the westward of Connecticut river, to the Duke of York. Governour Nicolls, when he took possession for the Duke of York, found the colony of Connecticut already in possession of Greenwich and Stanford, and he recommended to the Duke, to release his rights, and in 1683, a line twenty miles east of Hudson's river was agreed on. The

agreement was confirmed by the king, 20th March, 1700. This was a settlement by compromise. The Duke claimed to Connecticut river : Connecticut, to the South Sea.

Massachusetts.—Their old charter was adjudged void in 1684, in chancery. They submitted and accepted a new charter, 1691. That strictly could not go further than Connecticut, then legally did. Massachusetts has unjustly wrested from New York, the country west of Connecticut river, to within twenty miles of New York. Now in 1685, the patent of the manor of Rensselaerwick extended from Hudson river, on the east and west sides twenty-four miles. Hosick was granted in 1688, and extends above thirty miles from the river. These grants could not be affected by the Massachusetts charter of 1691; and are evidences that it was not intended to affect the Duke of York's patent. The colony of New York has a title to the country to Connecticut river, and north to the Canada line, by the submission and subjection of the Five Nations, by treaty, as early as 1653, with the governours for New York. The country on Lake Champlain, belonged originally to the Five Nations; and this fact is proved by all the ancient maps. The lake was called, Lake Iroquois, and that was the name of the Five Nations. In 1696, a colony grant was made to Godfrey Delliuss for a tract of land from the north bounds of Saratoga, to the *Rock Rouch*, which is a station indisputable, and lies on Lake Champlain, north of Crown Point. This tract extends twelve miles east of Wood Creek. The grant was repealed by statute in 1699, as being extravagant. The faithless encroachments of the French—their fortifying Crown Point and Ticonderoga—their depredations and the savage and merciless devastation of the northern frontiers, have prevented the settlement of this northern country.

In April, the fortifications, etc., at Crown Point, were destroyed by the accidental blowing up of the powder magazine.

May 13th.—In Rivington's Gazette, of this date, appear the two following curious stories :

“Advertisement. Bush Creek, Frederick county, Maryland, October 11th, 1771. Run away from the subscriber, a convict servant maid, named Sarah Wilson, but has changed her name to Lady Susanna Carolina Matilda, which made the publick believe that she was his majesty's sister. She has a blemish in the right eye, black rolled hair, stoops in the shoulders, makes a common practice of writing and marking her cloaths with a crown and a B. Whoever secures the said servant woman, or takes her home, shall receive five pistoles, besides all costs and charges.—William Duvall.

“I entitle Michael Dalton to search the city of Philadelphia and from thence to Charleston for said woman.—William Duvall.”

This Sarah Wilson was an attendant upon Miss Vernon, a maid

of honour to the queen, and found means to break open a cabinet of the queen's, and abstract several jewels, and her majesty's picture. She was tried, and condemned to death, but the sentence softened to transportation to the colonies. She was exposed to sale, and was purchased by Duvall, from whom she escaped and travelled through Virginia and the Carolinas, as above stated; having carried off cloaths, and preserved jewels and the queen's picture, which supported her claims to be not the king's, but the queen's sister. She was received as a sprig of royalty from house to house, and condescended to permit the masters to kiss her hand. They entertained her with honours, and she promised to some, governments, and to others, various civil appointments, and to the officers of the army and navy, promotion. She borrowed considerable sums of her dupes, or the dupes of their own folly. Dalton pursued her to Charleston; but she had departed to a plantation on a visit. Here the account ceases. But in the Gazette for September 2d, 1773, is the following paragraph :

“Tuesday last, arrived in this city a person who styles herself the Marchioness De Waldegrave,” and the account goes on to say that she is supposed to be the person mentioned in the papers as Sarah Wilson, alias Lady Carolina Matilda. “She still insists on the reality of her high pretensions, and makes the same impressions on many as she did in the south.”

We observe, that in October 11th, 1771, she is advertised as a runaway slave, and in September 2d, (nearly two years after) 1773, she is announced, or a person supposed to be the same, as having arrived in New York, and playing the same part of nobility. How did she escape the pursuit of Dalton? Where was she in the interim? What her subsequent fate? What a ground-work for romance !

The story of James Hutchinson is a romance of another kind. He was a planter of Barbadoes, and made a practice of securing in his “pen” any animals which strayed from the neighbouring plantations. He became rich. His neighbours very mysteriously disappeared. Finally, T. Cadwallader lost a jack ass, and traced the stray to Hutchinson's pen. Cadwallader called on him, and stated the fact; to which the reply was, that he should take home his property. Hutchinson took his gun, and led Cadwallader to the pen, and there, instead of restoring the beast, took the opportunity of the man's turning from him to shoot him. He then cut off the head, and dragging the body to the cliffs, precipitated it into a chasm, (it is to be supposed after rifling it of any money.) The head was thrown into a cave at a distance. It happened that a free white person was sick, and lodged at Hutchinson's, who, hearing the report of the gun, crawled out, and witnessed enough of the transaction to convict the murderer on trial, and he was hanged.

A number of heads or skulls were found in the cave, and the traces of many bodies that had been thrown down the precipice. A part of Cadwallader's clothing was identified, from hanging on a projecting rock and recovered, and his head was likewise proved to be among the skulls in the cave. The murderer's slaves knew of his guilt, but dared not accuse him; neither would they have been competent witnesses against him.

May 26th.—The mayor produces an address to Gage. It laments his departure—expresses their sense of obligation to him for his performance of the arduous task of commanding “an army in that critical hour when the several branches of the empire, rent by unnatural discords, seemed to be upon the point of dissolving the union to which they owe their safety, their glory, and their happiness.”

November 18th.—Charles Clinton, the father of George Clinton, member for Ulster county, departed this life at his seat in Little Britain, aged 83. He arrived here from the north of Ireland, in 1732, and was long employed in this province as a surveyor. He was lieutenant-colonel of one of the regiments in Ulster county, and first judge. He commanded a regiment at the reduction of Fort Frontignac, under General Bradstreet, when near 70 years of age.

In November, Rivington publishes (in consequence of a threat,) a handbill which had been circulated, (and Gaine and Parker and Anderson are requested to publish the same.) It is an address to the Sons of Liberty and Commerce, criminating William Kelly for not adhering to the non-importation resolutions, and for saying “that there was no danger of the resentment of the people of New York, if it should be as high as it was at the time of the stamp act. That then they had an old man (C. Colden,) to deal with; but now they have Governour Tryon, (a military man) who had suppressed the insurrection in North Carolina, and he would cram the tea down their throats.” The friends of liberty and commerce, considering the above declaration of William Kelly as inimical to America, and as encouraging the ministry in their diabolical plans of enslaving the country, hung him in effigy, after carting it through the streets with labels affixed, and between the hands a tea cannister, labelled, “tea, 3d. sterling, duty,” and “the infamous Kelly.” The multitude huzza during the procession to the gallows, and shouted “No tea!” The image was burnt opposite the Coffee-house, Wall street. A gentleman then addressed the people, saying, “If we had the base original, we would serve him the same;” and then advised them to go peaceably home. About this same time, while his effigy was burning in New York, Kelly married a lady of fortune in London, and shortly after was defeated in his efforts for a seat in parliament.

December 16th.—Robert R. Livingston for the first time appears as Recorder.

Negro slavery, a favourite measure with England, was rapidly extending its baneful influence in the colonies. The American Register, of 1769 gives the number of negroes brought in slavery from the coast of Africa, between Cape Blanco and the river Congo, by different nations in one year, thus :—Great Britain, 53,100 ; British Americans, 6,300 ; France, 23,520 ; Holland, 11,300 ; Portugal, 1,700 ; Denmark, 1,200 ; in all, 104,100, bought by barter for European and Indian manufacturers—£15 sterling being the average price given for each negro. Thus we see that more than one half of the wretches who were kidnapped, or torn by force from their homes by the agents of European merchants, (for such those who supply the market must be considered) were sacrificed to the cupidity of the merchants of Great Britain : the traffick encouraged by the government at the same time that the boast is sounded through the world, that the moment a slave touches the sacred soil, governed by those who encourage the slave-makers, and inhabited by those who revel in the profits derived from murder, he is free. Somerset, the negro, is liberated by the court of king's bench, in 1772, and the world is filled with the fame of English justice and humanity ! James Grahame tells us that Somerset's case was not the first, in which the judges of Great Britain counteracted in one or two cases the practical inhumanity of the government and the people ; he says, that in 1762, his grandfather, Thomas Grahame, judge of the admiralty court of Glasgow, liberated a negro slave imported into Scotland.

It was in vain that the colonists of America protested against the practice of slave dealing. The governours appointed by England were instructed to encourage it, and when the assemblies enacted laws to prohibit the inhuman traffick, they were annulled by the vetos of the governours. With such encouragement, the reckless and avaricious among the colonists engaged in the *trade*, and the slaves were purchased when brought to the colonies by those who were blind to the evil, or preferred present ease or profit to all future good. Paley, the moralist, thought the American revolution was designed by Providence, to put an end to the slave trade, and to show that a nation encouraging it, was not fit to be entrusted with the government of extensive colonies. But the planters of the southern states have discovered, since made free by that revolution, that slavery is no evil ; and better moralists than Paley, that the increase of slaves and their extension over new regions, is the duty of every good democrat. The men who lived in 1773, to whom America owes her liberty, did not think so.

Although resistance to the English policy of increasing the number of negro slaves in America agitated many minds in the colonies,

opposition to the system of taxation was the principal source of action; and this opposition now centered in a determination to baffle the designs of Great Britain in respect to the duties on tea. Seventeen millions of pounds of tea were now accumulated in the warehouses of the East India Company. The government was determined, for reasons I have before given, to assist this mercantile company, as well as the African merchants, at the expense of the colonists of America. The East India Company were now authorized to export their tea free of all duty. Thus the venders being enabled to offer it cheaper than hitherto to the colonists, it was expected that it would find a welcome market. But the Americans saw the ultimate intent of the whole scheme, and their disgust towards the mother country was proportionably increased.

1774 January 12th.—Governour Tryon, in his speech to the assembly says, with the utmost agony of mind for the safety of my family, I lately beheld my own interest and the Province House involved in one common ruin! particularly, he says, after their liberal grant for the repair of the building; he tells them the boundary line between New York and Massachusetts was settled by the commissioners appointed; that with Canada not yet so; that in consequence of the outrages committed by the New Hampshire men on the settlers under the New York government, (in what is now Vermont,) he has been ordered to England.

His majesty's "most dutiful and loyal subjects," in answer, lament the calamities of the fire in the fort, and those in "that corner of the colony which has been for so many years disquieted by unjustifiable claims under the province of New Hampshire." They lament the governour's departure, although they rely upon his exertions in remedying the evils which "a confederacy of insurgents" have brought upon an extensive territory, clearly within the ancient grant of the colony, solemnly adjudged to be a part of it by the royal decision, and afterwards graciously distributed to the brave officers, etc. This is signed, John Watts, speaker.

March 5th.—A committee report to the assembly facts respecting outrages committed by lawless persons, "calling themselves the *Bennington mob*," who have assumed military commands and judicial powers. They name as ringleaders, Ethan Ellen, Seth Warner, and six others.

14th.—James Jancey, Jun., was appointed master of the rolls, by Tryon.

April 25th.—The Bridewell lottery is mentioned. Both King's College and the Bridewell were built by funds derived from the infamous source of lotteries: but this source was not so considered in the "good old times."

June 27th.—The Records of the corporation of New York are

suspended at this date, and are not resumed until February 10th, 1784, thus leaving a chasm of nearly ten years.

August 1st.—Measures are taken to elect representatives for the city to the ensuing congress. Philip Livingston, John Alsop, Isaac Low, and John Jay, publish, that if elected, they will advocate an agreement not to import goods from Great Britain, as being the most efficacious means to procure redress of grievances.

25th.—A congress of deputies assembled in North Carolina from the counties and towns of the province, and among other acts indicative of their love of liberty, passed this resolution, “that they will not import any slave or slaves, nor purchase any slave or slaves imported or brought into this province by others, from any part of the world, after the first day of November next.” Happy would it have been if this resolution had been carried into such effect, as to influence the conduct of the sons of these wise men.

28th.—Gage proclaims all town meetings called without the governour’s consent illegal, (except the annual meetings,) and prohibits all persons from attending on peril of the consequences.

September 5th.—The delegates from the city of New York departed for Philadelphia to the congress. John Jay’s departure was unknown at the time, but Isaac Low was accompanied to Paulus Hook ferry by the people with colours flying, musick playing, and huzzas. The inhabitants then returned to the Coffee-house, “in order to testify the like respect to James Duane, Philip Livingston and John Alsop, Esqrs.” They were accompanied by the inhabitants in procession to the Royal Exchange, where Mr. Duane addressed the people. They embarked at the foot of Broad Street, and they were saluted with discharges of cannon, huzzas, etc.

25th.—General J. Bradstreet died, aged 63. He had been quartermaster-general at the reduction of Louisbourg, under Shirley, in 1745; in 1758 he took Cadaraqui. The civil and military officers, and the 47th regiment, attended his corpse to Trinity Church.

October 31st.—Is published Israel Putnam’s vindication of himself from the charge of alarming the country unnecessarily by his letter in September, which stated that he was informed that the British had attacked Boston, etc.; this letter had been reprinted and ridiculed; the vindication is long, and though signed, was not written by Israel.

November 7th.—It is stated that 23 ships, 5 snows, 22 brigs, 9 schooners, 31 sloops, were in the harbour, and 5 vessels on the stocks.

December.—The Flying Machine (a great improvement in the

rapidity of travelling) still continues to carry passengers in two days from New York to Philadelphia.

In December certain arms and ammunition were seized by Andrew Elliot, collector, as not being on the ship's cocket, and conveyed to the custom house ; (where was it ?) On the 27th a threatening letter was sent to Elliot saying, " by this act you have declared yourself an enemy to the liberties of the country," and threatening to call upon him for these arms, and prohibiting their being sent away. They say his former good conduct and genteel behaviour entitle him to this notification, otherwise they would wreak their resentment on him.

Elliot published a moderate and firm answer, saying he had done and should do his duty. The merchants expressed their approbation of his conduct : but that night handbills were published repeating threats and accusations. The next morning the merchants waited on him and assured him of their support. They accompanied him to the Coffee-house, where the people cheered him. He returned thanks, but assured them he should continue to do his duty. Elliot's place of residence was what was afterward known as the Sailor's Snug Harbour, (two miles from town then) and he to avoid " the troubles" moved to Perth Amboy, until the British took possession of New York. He then returned and occupied his house, and received the appointment of lieutenant-governour or head of the police.

Part of a Song published this year in a handbill : Tune, King John and the Abbot of Canterbury.

I sing not of conquests obtained in the field,
Nor of feats when proud Trulla made Hudibras yield ;
But the total defeat of those heroes I sing,
That would fix a *Republic* in lieu of a King,

Derry down, etc.

First observe Johnny Scott, so courageous and stout,
He swore the committee should all be turn'd out,
In all their proceedings he'd find out some flaw ;
What's the body of *Merchants* compared to the Law.

Then Sawney McDougall, so grave and so wise,
With a face like an owl, and the same blinking eyes,
Advancing his sage, Puritanical phyzz,
Cries out for *Agricola* ! Lo, here he is !

Agricola came, most *determined* of men,
With a wand that he wields in the shape of a pen ;
From the freedom of which such enchantments arise,
That *sedition* once touch'd, it immediately dies.

King Sears, thy great merit must not be held back,
When like a parch'd pea, thou did'st whizz, jump and crack,
From this party to that—still engaged as a tool,
Till he found *troubled waters* to leap in and cool.

Should Peter Van Brook not be sung in his turn,
The sons of sedition full sorely might mourn :
But his deeds must not pass, while connected with theirs',
Nor his follies be sanctified by his gray hairs.

As for lesser retainers, I think 'twould be wrong
That their names should *immortalized* be in my song ;
I therefore dismiss both the great and the small,
Lambs, *wolves*, and tall errand-boys ; *Starchem* and all.

1775 January 13th.—Governour Franklin addressed the legislature of New Jersey, convened at Perth Amboy, warning them not to sanction certain proceedings connected with the disputes between the colonies and the mother country, and assures them that their grievances will be redressed on petition. The council return a complacent answer ; but the assembly sarcastically tell him that they know of no improper proceedings, sneer at his not naming the acts he deems improper, and sarcastically observe that they cannot see why the petition of one colony should be more attended to, than the petition of all the colonies. Lieutenant-governour Colden's address is in the same style, and he has more success with the New York assembly.

In January, Rivington appears bolder, and no doubt the tories were encouraged. The pieces against the continental congress and the cause of America were multiplied in his *Gazeteer* ; and his paragraphs were openly advocating the parliamentary tyranny. For example—we are informed that the popular faction appears to lose ground. Again, the demagogues are losing ground very fast. Yet the madmen of Marblehead are preparing for an early campaign against his majesty's troops, etc. He published scurrilous verses on Hancock, Adams, and Cooper, the Boston town clerk. The majority of the New York assembly agreeing not to send delegates to the congress in May, caused great triumph to the tories ; and the *Gazeteer* rejoices in these verses—

“ And so my good masters I find it no joke,
For YORK has step't forward and thrown off the yoke
Of congress, committees, and even K——g S——s,
Who shows your good nature by showing his ears.” etc.

In the remainder Hancock and Adams, etc., are consigned to Gage.

February 23d.—The tories triumphed in the vote of the majority of the New York assembly not to send delegates to congress. The majority had Walton, Jancey, Brinckerhoff, Colonel Seaman, (whose daughter married Billop) Brush, Delancey, Vankleeck, Rapelye, Nicolls, Billop, Phillips, (Phillipse) Ten Eyck, Wills, Wilkins, Kissam, and Gale. The whigs were Clinton, Woodhull, Thomas, Boerum, Captain Seaman, Colonel Ten Broeck, De Witt, Colonel Schuyler, and Colonel P. Livingston.

March 13th.—The committee of observation nominate Isaac Low, Philip Livingston, James Duane, John Alsop, John Jay, L. Lisperard, Alexander McDougall, and some others, as candidates for the continental congress at Philadelphia. The five first were chosen.

18th.—A letter, real or pretended, from an American in London says, that several of the members of the New York assembly, who voted not to take into consideration the proceeding of “your congress” are to be rewarded. “The Delanceys, Watts, Coldens, and the leaders of the party, are to be rewarded much higher, by places of honour, profit, and pensions, viz: Watts, to be lieutenant-governour, in the room of old Colden, who resigns on a pension. Cruger to be of the council, also a young Colden, McEvers, and some of the Watts. Large grants of land are likewise to be given; and in a little time, a Bishop will certainly be appointed for America. Dr. Cooper, of New York, is fixed for the man, who is the ministerial writer there.” He says, “plans for disuniting America are communicated officially to the ministry by Colden, and privately by Parson Vardill, a native of New York, who has been here a twelvemonth, a ministerial writer, under the signature of “Coriolanus,” lately appointed king’s professor in the college of New York, with a salary of £200 sterling; and a Major Skene, from New York, who is appointed governour of Crown Point, and surveyor of the woods, with a grant of 120,000 acres of land.” This was the Skene, of Skenesborough, now Whitehall, Lake Champlain.

April 20th.—Marinus Willet and John Lamb are denounced as having been chairmen of a popular meeting to overhaul persons who had sent on boards, etc. for the British army at Boston. Sears is said to have made a motion that every man should provide himself with four and twenty rounds. At another meeting, Sears was taken (as is said) by a warrant, and carried before the mayor, and ordered to jail, but rescued by the people, and carried in triumph through the town. Ivers, Alner, Richard Livingston, and Roorbach are mentioned as attending on Sears, with colours flying. At 6 P. M. in the fields Sears addressed the people: Alexander McDougall and Mr. Pardon Burlington, supported Sears. They stopped (as I gather) a vessel with boards, intended for Boston.

23d.—When the news of the Lexington affair reached New York, Isaac Sears and John Lamb took measures for stopping all vessels in the harbour that were about sailing for Quebec or any other ports where British troops predominated, and wrote to the committee of Philadelphia, avowing what they had done. They assembled the people, and demanded the keys of the custom-house of Mr. Elliot, who delivered them up.

May 5th.—The committee of 100 address the lord mayor and common council of London. They assert their rights—declare

“that Americans will not be deceived by conciliatory assurances, while it is evident that the ministers are aiming at a solid revenue to be raised, by acts of parliament.” They say, “the minions of power in New York may inform the administration that this city is as one man in the cause of liberty.”

This address was signed by Isaac Low, chairman, John Jay, Francis Lewis, John Alsop, Philip Livingston, James Duane, E. Duyckman, William Seton, William W. Ludlow, Cornelius Clopper, Abraham Brinckerhoff, Henry Remsen, Robert Ray, Evert Bancker, Joseph Totten, Abraham P. Lott, David Beeckman, Isaac Roosevelt, Gabriel H. Ludlow, William Walton, Daniel Phoenix, Frederick Jay, Samuel Broome, John De Lancey, Augustus Van Horne, Abraham Duryee, Samuel Verplanck, Rudolphus Ritze-man, John Morton, Joseph Hallet, Robert Benson, Abraham Brasher, Leonard Lispenard, Nicholas Hoffman, P. V. B. Livingston, Thomas Marston, Lewis Pintard, John Imlay, Eleazer Miller, jr., John Broome, John B. Moore, Nicholas Bogert, John Anthony, Victor Bicker, William Goforth, Hercules Mulligan, Alexander McDougall, John Reade, Joseph Ball, George Janeway, John White, Gabriel W. Ludlow, John Lasher, Theophilus Anthony, Thomas Smith, Richard Yates, Oliver Templeton, Jacobus Van Landby, Jeremiah Platt, Peter S. Curtenius, Thomas Randall, Lancaster Burling, Benjamin Kissam, Jacob Lefferts, Anthony Van Dam, Abraham Walton, Hamilton Young, Nicholas Rosevelt, Cornelius P. Low, Francis Basset, James Beeckman, Thomas Ivers, William Denning, John Berrien, Benjamin Helme, William W. Gilbert, Daniel Dunscomb, John Lamb, Richard Sharp, John Morin Scott, Jacob Van Voorhis, Comfort Sands, Edward Fleming, Peter Goelet, Gerret Kettletas, Thomas Buchanan, James Desbrosses, Petrus Byvanck, Lott Embren.

I copy these names as a memento of men and families then in New York. I know that all of them did not join as one man in the cause of liberty, and I doubt whether they all signed this address.

May 11th.—The committee for association for New York, address C. Colden, lieutenant-governour. They say, the inhabitants have waited with the greatest patience, for a redress of grievances, etc.—they have found the most dutiful applications for redress rejected—their rights violated—“You cannot wonder,” when the sword has been drawn against our brethren of Massachusetts, that we have associated and elected a committee and delegates in congress. They assert that they never will submit to an invasion of their rights, and view with unexpressible horror, the blockade of Boston port, the hostile attack—the extension of the bounds of Quebec---and are determined to equip themselves for the struggle for liberty. But they do not arm against, but in defence of government, to support his honour in the administration of justice, etc.

They look forward "with deep concern, at the expected arrival of troops from Great Britain: violence may be the consequence, and the streets of New York deluged with blood. They beseech him to apply to General Gage, for orders, that such troops as may arrive "shall not land or encamp in this city and county." Signed Henry Remsen, D. C.

Colden answers, that the king and parliament are ready to afford every reasonable indulgence---they offer to forbear every kind of taxation, etc., etc. He exhorts the committee not to irritate the minds of the people---He has no information of troops destined for New York. He will communicate their letter to General Gage. This report of troops coming, he says, has been invented to facilitate the design of introducing an armed force from Connecticut ---"a measure so degrading, so dangerous to the honour, the freedom of this colony." He speaks of the "tumults and disorder, which has raged" in New York city---exhorts them to support civil government.

May 15th.—Congress recommended to the citizens of New York, if British troops arrive, to act on the defensive; let them take the barracks, and leave them in quiet while they behave so; but not to let them erect fortifications; that the warlike stores be removed from the town; that places of retreat be provided for the women and children; and men embodied and kept in readiness to repel insult or injury.

The committee of New York require all persons having arms for sale to inform them thereof within ten days, or to be considered publick enemies; and declare that any person selling arms to be used against our liberties shall be held up as an enemy.

25th.—The provincial congress at New York resolve that none but enemies to America would propose any hostile measures against the inhabitants of Canada. Signed, Robert Benson, secretary. They further recommend to the inhabitants of New York to furnish themselves with arms and ammunition.

July 3d.—The worshipful Whitehead Hicks, Esq., mayor, left with his Excellency, Governour Tryon, the humble address of the merchants and commonalty of the city of New York, congratulating him on the re-establishment of his health, bidding him "welcome to a people, who, from the rectitude of his administration," could not part with him, "without the deepest regret." They regret he does not find them "in a condition more propitious to his felicity." They sigh for tranquility, re-established upon that ancient system of government and intercourse, which has been the fruitful source of prosperity and opulence. They are afflicted to behold a nation so wise as Great Britain, involved in a civil war, "in which disloyalty in his majesty's American subjects to their Prince, or want of affection to their mother country, con-

stitute no part of the unnatural controversy." They trust in his intercession with his majesty for a speedy termination, etc. Tryon in his answer, says, (after thanks, etc.,) that he is disappointed in viewing the aspect of affairs, and distressed; and that he feels naturalized and bound to America. He wishes them to view the controversy, as flowing from the misconception of constitutional principles—that the parliament has taken the first step to reconciliation. If America would liberate the restraint she has laid on her commerce, etc., many acts of conciliating grace, would be extended to her by Great Britain, "which national honour cannot suffer to be torn from her by violence"—That the memorial of New York, had expressions in it and claims, which made it impossible for parliament to receive it. But the petition to the king, had been presented and graciously received—he promising "attention to the humble requests of his faithful subjects of New York."

July 5th.—The provincial congress of New York, resolve, that no English vessel arriving, shall be permitted to load any provision, "unless the property of those articles, be in some merchant or inhabitant of this colony, and not intended for Newfoundland." Signed John McKesson, Sec.

August 4th.—The committee of New York, published a statement of a violation of the orders of the continental congress, by Abraham H. Van Vleet, of New York, and George Coffin, master of a sloop in his employ, in that they carried provisions to Nantucket, contrary to said orders, and were preparing to repeat it, and therefore, represent them as acting inimically and guilty of an infringement of the liberties of the colonies. The confessions are published of these individuals.

23d.—Mr. Mulligan* was on the Battery when the Asia fired on the town. Alexander Hamilton had gone off with others, dragging one of the cannon, and left his musket with Mulligan. When the ship fired a broadside, the people scampered, and with them Mr. Mulligan, who, as he retreated by Pearl street, met Hamilton; "Where's my musket?"—was the inquiry—"I left it by yonder embrasure," was the answer of the fugitive. Hamilton very deliberately walked on and seized his arms, as if in defiance of the seventy-four.

28th.—We have an account of the removing of the guns from the Battery, by order of the provincial congress: Captain John Lamb's Artillery on the Battery, and Parker's Infantry, etc., are firing—women and children removing. "The governour returning from the country, took an account in writing of the damage done." Conference between Tryon and the provincial congress, committee, etc. He declares, that he knows of no troops coming from Boston.

* Mentioned in John C. Hamilton's life of his father, Vol. I.

October 13th.—Tryon writes to Hicks, the mayor of New York, that the continental congress had recommended to the provincial congress of New York, to seize him---he places himself under the protection of the mayor and corporation, notifying, that if he is made prisoner, the captains of the men-of-war would demand him, and enforce the demand. To avoid which, if it is the wish of the citizens, he will embark, and requesting the citizens to defeat any intention to interrupt the removal of his servants, property, etc.

14th.---He is answered, that the “members of the corporation,” on reading the letter of the governour, “expressed themselves in terms of the strongest affection” to him : and are disinclined to his removal “from the capital of his province.” The mayor says, that the city committee to whom he had communicated the letter of Tryon, desire “the continuation of his residence. I have not the least doubt of your enjoying the most ample protection.”

Same day, Tryon replies to Hicks, that as the citizens had not authorized the mayor to pledge to him “their assurances of security,” his duty to his sovereign will not justify him in staying on shore, unless he has positive declarations of full protection “under every circumstance.”

17th.—The answer of the committee to the mayor, was to assure Tryon, that they “are not apprehensive of the least danger to his person and property, and that he may rest assured of all that protection from them, and their fellow citizens, which will be consistent with the great principle of our safety and preservation.” They declare their confidence in his wisdom, and that he will mediate to restore harmony, etc., they again express their desire, that Tryon would remain among them.

18th.---The mayor writes Tryon, that he could not take the sense of the citizens on his letter, till Tuesday, when the committee met, and “the result of their councils will appear in the written answer” herewith transmitted. He adds, that “people of all ranks,” express great anxiety at the thought of his retiring, etc.

19th.—Governour Tryon, by letter, informed the mayor, that he understands, congress had ordered him to be seized, and if so, he would be demanded by Captain Vandeput, of the Asia, and on refusal to give him up, the demand would be enforced. The mayor assures the governour of his safety, and of the good will of the inhabitants. The committee likewise give assurances of personal safety to Tryon, and of respect for him.

23d.—Stephen Sayre, of Long Island, was committed to the Tower, upon a charge (made by a fellow of the name of Richardson, an adjutant in the British service,) of intending to seize the king’s person, take possession of the Tower, and overturn the

government. This shows the excessive fears and jealousies of the English at that time. Sayre was admitted to bail.

A letter from Brook Watson, merchant, to P. V. B. Livingston, president of the provincial congress of New York, dated July 4th. Lake Champlain, near St. Johns, is published. He says, that by the assistance Livingston's letter to the officers in the service of the colonies afforded him, he is now so near Montreal, that he expects to be there in the evening. He thanks Livingston and the provincial congress, for their letters, which have protected him. "A sincere friend to America and its rights, I truly am." He is uneasy at the spirit of the colony troops on the lake, as they seem determined to enter Canada. This, he says, would "produce the most dreadful consequences; the Canadians and Indians would immediately fall on your back settlements; with the king's troops on one side, and the Canadians and Indians on the other, what are the colonists to expect, but slaughter." He says, it cannot be doubted, that Great Britain is ready to receive "any fair proposition constitutionally offered."

November.—Arnold crossed the St. Lawrence, and marched to *Point aux Trembles* seven leagues above Quebec, whence he sent Burr, with a letter to Montgomery, dated 30th November, saying: "This will be handed to you by Mr. Burr, a volunteer in the army, and son to the former president of New Jersey College. He is a young gentleman of much life and activity, and has acted with great spirit and resolution, on our fatiguing march. His conduct, I make no doubt, will be a sufficient recommendation to your favour."* On the 25th November, Montgomery left Montreal, and must have met Burr as he ascended the river.

23d.—Rivington publishes his last paper, until he revives it again as the Royal Gazette in the garrison. His types were destroyed, December 4th, by the Connecticut Light Horse, who surrounded his house—the citizens looked on, without interfering.

December 4th.—Tryon sends to the mayor a letter from on board of the *Duchess of Gordon*, New York harbour, desiring him to lay before the corporation the enclosed paper, and make the same publick. In the paper, he tells the inhabitants of the province, that his majesty has been graciously pleased to permit him to withdraw from his government, and he is ready to do them any service—but if he sees no hope of re-establishing harmony, he expects to be soon obliged to avail himself of the king's indulgence. It gives him great pain to see them in a turbulent state,

* See Vol. I., Historical Society of Maine's collection.

he wishes to do something to alleviate the calamities that must befall them, etc.

The papers published in the province of New York in 1775, were, The York Mercury, The New York Journal, The New York Gazetteer, (these in the city,) and The Albany Post, (in Albany.)

The names of Crown Point and Ticonderoga, so frequently occur in our history, as to deserve notice. The first was named by the Dutch "Kruine Punt." The second still bears its Indian name, signifying "the meeting of the waters," i. e. of Lakes Sacrament or George and Champlain. It is familiarly called *Ty*.

1777 March 24th.—Gaine's Gazette, of this date, says, the rebels take up royal subjects, and chain them to their own negroes. "The whole country, every where, is one continued scene of horror, distress, and confusion. A pretty exchange for the liberty they once enjoyed under the government and protection of Britain!"

And again:—"The cruel and desperate wretches, who conduct the rebellion in the northern parts of this colony, have given orders to shoot all persons, indiscriminately, who may be found in any of the roads towards Kingsbridge."

June 4th.—Same paper—"The flower of Mr. Washington's army, is composed of the gleanings of British prisons, transported to the southern colonies."

July.—In 1763, a law was passed to prevent hunting on the grounds near New York, by others than the owners, etc. In July, 1777, it is put in force by the commandant of New York, General Pigot.

August.—General Jones commandant in New York. Peter Stuyvesant died, eighty-seven years old.

September 14th.—At this time, certain persons called *Sandemans*, made open declaration at New Haven, that by their religious faith, they were bound to be faithful subjects to King George III., and obey his commands in all things not interfering with the commands of God---and believing, that his kingdom was to be defended by the sword, and they bound so to do---but being willing to live peaceably, they request either to be unmolested, or to be removed to some place under the king's government. The assembly resolved, that these persons, "disciples of the late Robert Sandeman, residing in New Haven," may remain in New Haven, giving their parole of honour, not to give intelligence, or otherwise act injuriously to the United States---or if they decline giving such parole, they, with their families, furniture, provisions, etc., may remove to any place, subject to the king of Great Britain, *excepting* a girl, the heiress of an estate in New Haven, who must remain under the guardianship of William Greenough. This girl, was the

daughter of Robert Woodhull, one of the Sandemanians. In consequence of their declaration of loyalty, these people were consigned to the care of the jailer, October 21st, 1777: and on the 6th November, were set at liberty on giving the required promise. They then solicited leave to proceed to New York or Long Island, and the following certificate was given them. "By his Excellency Jonathan Trumbull, Esq., governour, captain-general, and commander-in-chief, in and over the state of Connecticut, one of the United States of America :---to all whom it doth or may concern. Mr. Daniel Humphreys, with his wife and three children, Joseph Pynchon, with his wife and three children, Mr. Titus Smith, with his wife and five children, Thomas Goold, Benjamin Smith, with one child, William Richmond, with his wife and four children, Thomas Chamberlain, with his wife and one child, and Richard Woodhull, with his wife and two children, are to be permitted to pass from the port of New Haven in this state, and go to New York, or if they think it expedient, to Long Island, in the sloop Lilley, under a flag of truce for the purposes on the other side specified. Given at my office in Lebanon, in said state, the 21st of November, A. D. 1777.---Jonathan Trumbull." Several certificates follow, by which it appears, that these people were transported, with their property, and due provision, to New York.

25th.—In Rivington's Gazette, is mentioned, the arrival of the Experiment, fifty guns, and Zebra, fourteen, with a convoy of transports, bringing numerous reinforcements of English and German troops; among them, the Marquis of Lindsey, Lord Cathcart, Major-general Robertson, Sir Spencer Watson, Brigadier-general Pattison, etc. With this fleet arrived Colonel Pennington, of the Guards, who on the passage quarrelled with Captain Tallemash, commander of the Zebra, and immediately on their arrival, they repaired to Hull's Tavern, on the site of the present City Hotel, and fought with swords. Tallemash received a wound under the left breast, of which he expired immediately, and Pennington was wounded in seven different parts, but notwithstanding recovered.

Rivington congratulates himself and his former subscribers on his return to New York. He compliments them for having supported him through a long period of confusion, anarchy, and tyranny, till an armed banditti from Connecticut forcibly entered his house at noon-day, and robbed him of his types and other property to a considerable amount. He speaks of his seeking an asylum in England, and says, he always endeavoured to preserve peace, order, and legal government. He congratulates his friends and the publick on the present happy prospect opening from the success of his majesty's arms, both at the north and south, etc.

In Rivington's Loyal Gazette the following is published, as found

at Fort Montgomery, when taken. "To Egbert Benson, Esq., or in his absence, to Melancthon Smith or John Schenk, Esqs., at New Windsor; dated Kingston, 2d June, 1777. Sir: A committee from the counties of Orange, Ulster, and Dutchess, are to meet at New Windsor to-morrow, for the important purpose of agreeing on men proper to fill the great offices of government, we take the liberty of communicating to you our sentiments on that subject General Schuyler arrived here last evening.—" Then they go on mentioning that congress had established him in the command of the northern department, and done him justice. They recommend him as governour, and General George Clinton as lieutenant-governour. They say the constitution is approved—recommend entrusting it to men of unquestionable abilities, etc. Signed, John Jay, Charles Dewitt, Zephaniah Platt, Matthew Cantine, and Christian Tappan.

November 22d.—Peter Van Tassel, commonly styled the Indian King was taken, with two others, near Tarrytown, by that enterprizing officer, Captain Emerick. Van Tassel was a committee-man, and is lodged in the *provost*.

Emerick was a German. Gordon says, that on the 18th of November Tryon sent Emerick with 100 men to burn houses on Philipse's manor: this they did, turning out women and children to the inclement weather, and leading the men away with halters round their necks, after stripping the whole. General Parsons wrote a remonstrance, saying that he could at any time burn Philipse's house, etc., and those belonging to Delancey. Tryon answered from Kingsbridge, saying that he was not accountable to any revolted subject of the king's, but as to Emerick's conduct in Peter and Cornelius Van Tassel, he would burn every committee-man's house to purge the colony of them, and would give twenty silver dollars for every committee-man delivered to the king's troops. The reply to this was a party of Americans, who arrived at Greenwich, and burned Delancey's house, within three miles of New York—dismissing the ladies in peace, though rather hastily.

In December, the American officers who had in numbers been carried from Long Island to the prison-ships, were carried back again, and received as lodgers by the people, Mr. Lewis Pintard agreeing to pay two hard dollars per week for them. There were 250. Pintard advises fresh beef to be sent to the prisoners, as convalescents have relapses when fed on salt beef by the English. There were nine thousand privates and three hundred officers prisoners in the city of New York.

December 6th.—A charity sermon advertised to be preached at St. George's Church for the support of the Charity School of New York. The school consists of 56 boys and 30 girls. Read-

ing, writing, and arithmetick taught, and to the girls, needlework. Mr. Wood, the father of William B. Wood, comedian, was the master.

Sir H. Clinton, allows the inhabitants of Long and Staten Island to carry three bushels of salt for each family from New York under strict surveyance.

1778 January 3d.—“Last Monday, Selah Strong was committed to the care of the provost of this city, on a charge of treasonable correspondence with his majesty’s enemies.”*

31st.—I perceive that the houses in Wall street were at this time numbered. I find the same in Maiden Lane, and the same in Queen street.

February 21st.—Sir Henry Clinton appoints Alexander Gardiner wharf-officer of Staten Island, for the purpose of preventing rum, salt, and other goods being carried to the rebels. He is empowered to seize such goods as are not accompanied by the superintendent’s permission, etc.

It appears by a proclamation of General Robertson, that some English sailors had attacked and wounded three Hessian soldiers. He promises a reward for the discovery of the perpetrators.

As early as February, in this year, General Schuyler gave notice to congress that the Iroquois were preparing to attack the frontiers; and in March, he informed them that the Mohawks, Onondagas, Cayugas, and Senecas, were ready to commence hostilities. No effectual measures being taken, the storm of desolation fell in blood, particularly upon Wyoming: it was guided as usual, by tories.

March.—The judicious cantonment of Valley Forge served to cover the country and cut off supplies from the enemy in Philadelphia.

Colonel Mawhood, of the 17th Regiment, and Simcoe, of the Queen’s Rangers, were sent into New Jersey with about 1200 men, and the small parties of militia near Salem fled before them. Col. Shreve’s regiment had been detached into Jersey, and Gen. Washington gave notice of the eruption of the British to Governour Livingston, with request to call out the militia to join Shreve; but less than one hundred joined the Colonel, at Haddonfield, the place of rendezvous. Mawhood was left at liberty to destroy the country and collect forage, which was done with wanton aggravation to the yeomanry and their farms. Another expedition of the British was equally successful, in destroying vessels and stores at Burlington: Generals Dickinson and Maxwell had not force enough to oppose the enemy. In May, the Marquis de Lafayette, with a detachment, was sent into Jersey, and he took post at Barren Hill;

* Rivington’s Gazette.

but the British from Philadelphia forced him by a superiour force to recross the Schuylkill.

May 11th.—At this time, Holt resumed the publication of his weekly paper, at Poughkeepsie, after being involved in the destruction of the little defenceless town of Esopus or Kingston, by the British forces under Vaughan.

Holt advertises his paper, “For a quarter of news, 12lbs. of beef, pork, veal, or mutton, or 4lbs. butter,” etc.

In Gaine’s New York Gazette, August 10th, is the following: “Last Tuesday afternoon, about one o’clock, during a heavy rain, accompanied with thunder, the lightning struck the ordnance sloop Morning Star, lying off the Coffee-house, in the East river, with 248 bbls. of gunpowder on board: it produced a most tremendous explosion. A number of houses were unroofed, many windows broke, and some furniture demolished by the blast—the effects of which were similar to an earthquake. Happily, there was only one man in the vessel when the accident happened.” Rivington merely notices an explosion.

In the fire of the 7th inst. the same paper enumerates sixty-three houses and a number of stores destroyed. General Jones, the commandant, offered a reward, upon supposition that the fire was the work of an incendiary.

In relation to the second great fire, and the explosion of the next day,* I have received a communication, dated September 7th, 1838, from an aged and highly respectable citizen still living, which the reader may be gratified to peruse:

“In looking over your two interesting little volumes entitled ‘A History of New York,’ I perceive that you notice, at pages 216 and 217 of volume II., ‘the second great fire’ in this city which took place on the night of the 7th of August, 1778, and the explosion that occurred on the 8th. These circumstances I recollect as distinctly as if they had taken place but yesterday; for my father’s family at that time occupied the house the third door from the Old Slip, in Little Dock street, which was consumed in the early part of the conflagration; and, as you correctly observe, ‘the military interfered, and, perhaps intending well, aided the work of destruction.’ This remark strikes me very forcibly at this time, although a little over sixty years have passed away since the transaction it refers to took place; for while aiding in removing my father’s goods to a place of safety, I was compelled by a soldier to lay my load down, and fall in the ranks and hand buckets. With respect to the explosion, you will pardon me, my dear sir, when I say you are in an error in stating it to be a *sloop*, and only *one* life lost, and that

* See Ante, pp. 164, 165.

a boy. It was a *brig* or a *ship*,* with a large quantity of gunpowder on board, and was commonly called the *powder-ship*, the number of her crew not known. For the security of the city, she was anchored not far from the Long Island shore, and not a great distance from the entrance of what was then called the *Buttermilk Channel*, which separates Governour's Island from Long Island, and at that time affording only a passage for market boats. The explosion of the sloop took place in 1779 or 1780. I will now give you a short history of this *very sloop*. She was a privateer from this port, and had been captured by an American vessel of war, and a crew of fifteen men put on board of her, with orders to proceed for an American port, leaving on board three men and a boy of her original crew. The names of these three men were O'Brien, Burke, and Murphy. In a calm, a part of the American crew got into the boat alongside for some purpose, while others went aloft to adjust some of the rigging. The three men, with the boy, took this opportunity to retake the vessel. They threw a pig-iron into the boat, with the intention of staving her, and cast her loose; and not one of the prize crew was ever afterwards heard of, excepting those in the boat *might* have been picked up. When she returned into port, she anchored off the Crane Wharf, very near the shore, and the day after her arrival, the men went on shore, leaving the boy on board, with another boy, a companion of his, in charge of the vessel, when she was blown up. The boy who was a visiter on board was miraculously saved. After the explosion, Cunningham, of notorious memory, who had charge of the old jail, then called 'the Prevo,' immediately repaired to the wharf and took the boy into custody, and interrogated him very sharply, in the expectation of eliciting something from him on the subject of the disaster. The account he gave was this; that he and the other boy were in the cabin, when the lad belonging to the sloop took up a musket, and commenced snapping the lock—at which he became alarmed, knowing that there was powder in the cabin, and went upon the quarter-deck—and he knew of nothing afterwards, until he found himself in the water on the quarter-deck of the sloop. There was a light drizzling rain at the time, and she had but a small quantity of powder on board—by no means sufficient to produce the result you speak of; for after her quarter-deck was blown off, she immediately sank. I cannot be mistaken in this statement, as this *very boy* was afterwards a fellow apprentice with me, and he has very often related the circumstance to me. His

* "Mr. J. R., in whose correctness in recollecting circumstances long gone by, I have the fullest confidence, informs me that it was a *ship*, and that her name was the *Morning Star*.

name was Robert, the son of a short elderly man named Lancaster, whose employment was the crying and vending of newspapers through the streets, as then was the practice."

August 20th.—By Burgoyne's letter to Lord George Germaine, we see that from the 30th of July to the 15th of August, every exertion was made to bring the batteaux, provision, and ammunition from Fort George to the first navigable part of the Hudson, a distance of eighteen miles. This was done with horses brought from Canada, and fifty team of oxen collected in the country; and after fifteen days thus employed, he had only ten batteaux on the Hudson, and five day's provision in advance for the army. Burgoyne, when pushed on to Skenesborough, sent his batteaux, etc. up Lake George, and Frazer, with his grenadiers, etc. pursued the retreating Americans on the Vermont side, overtaking and attacking them at Hubberton. St. Leger was at this time supposed by Burgoyne to be before Fort Stanwix. Schuyler and his army, opposed to Burgoyne, were at Stillwater, between Saratoga, from whence he writes, and the mouth of the Mohawk. He says, a rapid movement forward appeared to be of the utmost consequence to force the enemy to action, and to aid St. Leger's operations. His difficulties in keeping up communication with Lake George if he advanced, are stated: and at Stillwater another land carriage is necessary. To gain cattle and forage, he formed the plan of attacking Bennington by surprise. Baum was fixed on to command. 200 dismounted dragoons of Riedsel's, Captain Fraser's marksmen, all the Canadian volunteers, a party of provincials who knew the country, and 100 Indians and two pieces of light cannon are therefore enumerated. About 500.

November 6th.—Colonel Beverley Robinson, No. 21, in King street, notifies refugees wanting employ and assistance from government, to call upon him.

9th.—The journeymen printers combine to raise their wages by an addition of \$3 per week. They say a common labourer gets \$1 per day and provisions, and the lowest mechanicks from 12 to 16s. Rivington agrees; and adds, that advertisements of fifteen lines will be \$1, and "long ones in proportion."

25th.—Mr. G. Jones, commandant, fixes the price of Wood at £5 a cord for walnut, and £4 for oak.

1779 January 6th.—All bread ordered to be made in 2lb. loaves, and sold for 21 coppers the loaf. This to take place on the 1st of February.

We see the arts used to entice sailors to man the privateers, etc., by a publication of James Dick, commissary of prisoners, in which he apologizes for the detention of seamen who had been prisoners with the Americans, and exchanged, but on arriving in a Flag from Elizabethtown, were pressed "by mistake,"

for the ships of war. He likewise gives notice, that all seamen and others that shall come in from the rebels after the 20th inst., shall be at liberty to enter on board privateers, etc., and not be liable to impressment. But the adjutant-general of the fleet offers 20 guineas reward to any person who shall give information against any master or owner of a privateer who has enticed seamen to leave his majesty's service, for their service. And a similar reward is offered from the adjutant-general's office in Broad street, for like information against those privateersmen who have enticed soldiers to desert from their regiments.

Governour Tryon admits Mr. Hepburn, late practitioner of law in North Carolina, to plead and practise in all his majesty's courts in this province.

20th.—It is stated that three whale-boats, with continental soldiers, came from Greenwich, Connecticut, intending for Huntingdon Bay, but obliged by a storm, they made for the nearest port of Long Island; one was lost, with a captain and seven privates; the others hauled up their boats and covered them with branches; but being discovered, were made prisoners and brought to New York.

Mr. G. Jones, commandant, proclaims that the commander-in-chief continues in force the order to the farmers of Long Island and Staten Island, to thresh out their grain, and bring to market all but sufficient for their families. They are offered the following prices:—Wheat, 26s. currency per bushel; wheat flour, 80s. per cwt.; rye, 10s. per bushel, and the flour, 30s. per cwt.; maize, 10s. per bushel, the flour, 28s. per cwt. Buckwheat, 7s. per bushel, the meal, 26s. per cwt. And no greater price shall be demanded, offered, or received. Penalty, loss of the property and imprisonment.

Privateers and their prizes arriving in this harbour are to put their prisoners on board the Good Hope, or Prince of Wales prison ships, and bring receipts for them to James Dick, before they have had any communication with the shore. If prisoners are permitted to come on shore, heavy penalties are threatened to be inflicted on the privateersmen.

February 6th.—“Deserted from the Virginia company of Blacks, employed as labourers in the service of the Royal Artillery.”—Names follow.

10th.—Permission is given by the commandant to farmers and gardeners “of these islands,” who have not woods on their lands proper for fencing, to cut railing for fences, on the lands of persons not under the protection of government on Long Island or Staten Island. Woodcutters who have broke down fences on cultivated land, are threatened with punishment; and permits granted to cut wood are to expire on the 1st of March next.

A carman in New York was allowed for a common load of wood, etc., for one mile within the city, 3s. The carmen were licensed by the police.

A huckster who was detected selling bread "at a higher price than was fixed by the late assize," was fined £5.

It is reported that a party a day or two ago went over into Jersey, and succeeded in securing the persons of Captain Nathaniel Fitz Randolph, and Charles Jackson, a tavern-keeper, of Woodbridge, and brought them within the lines. Mr. Randolph is a very enterprising person, and had distinguished himself in various coups de main upon the loyalists. In common parlance, Randolph was called "Natt Randall." And I remember hearing of his bravery when I was a child, in 1776-7—particularly of his standing alone, firing and reloading his musket, when approached by several of the 17th Dragoons, who were advancing to cut him down, but were ordered to take him alive by an officer who saw and admired his cool courage.

13th.—Rivington at this time is lavish of praise on Arnold, and abuse of his accusers in Philadelphia. One of his aids at this time, was Major M. Clarkson.

November 24th.—Sir Henry Clinton issued his proclamation at New York, to procure fuel for the approaching winter. He requires all persons who have obtained permission to cut wood "off certain lands on Long Island and Staten Island, immediately to bring what wood they have cut to this market." He points out a mode of bringing it in, by impressing the farmers and their wagons or carts. The colonels of the militia of the different districts have power to grant permissions for cutting wood off "the above mentioned lands," and to order the wood to be brought to the landings. He speaks of the ample price allowed for firewood in this market, and therefore "all proprietors of woodland on Long Island and Staten Island are hereby ordered immediately to cut and cart to the most contiguous landings such proportion of their wood as will fully answer the intent and meaning of this proclamation, and prevent the disagreeable necessity of granting permissions for their woods to be cut by others."

1780 January 5th.—The following proclamation is published at this date: "His Excellency, Sir H. Clinton, K. B., etc., Whereas, the enemy have adopted the practice of enrolling negroes among their troops, I do hereby give notice that all negroes taken in arms, or upon any military duty, shall be purchased for the publick service, at a stated price; the money to be paid to the captors. But I do most strictly forbid any person to sell or claim right over any negro, the property of a rebel, who may take refuge with any part of this army; and I do promise to every negro who

shall desert the rebel standard, full security to follow within these lines any occupation which he shall think proper. Given under my hand, at head-quarters, Philipsburg, the 30th day of June."

15th.—Rivington says ; Yesterday, great numbers of the inhabitants of New York and Long Island, also a sleigh and two horses, passed over the ice in the East river. Six persons, in attempting to pass to Powle's Hook on the ice, were carried by the tide into the East river ; but the ice lodging at Blackwell's Island they got ashore frostbitten. This was some days before.

20th.—General Pattison orders the enrolling of every male inhabitant, from 17 to 60, under officers and armed.

In relation to the hard winter of 1779-'80, I have received a communication from a highly respectable source, a part of which I will copy. After some introductory matter, which need not be here inserted, the writer alludes to a cotemporary memorandum, made by himself, of which he has favoured me with a copy.

"January 24th.—This day the river Hudson, opposite New York, was crossed on the ice. I record this fact, because my father says, it has not occurred before in fifteen years, and as the winter is thus far, of unprecedented severity.

"29th.—This day several persons came over on the ice from Staten Island.

"February 1st.—A four horse sleigh came over on the ice, from Staten Island.

"15th.—A thaw has set in, which promises to open the navigation.

"24th.—Navigation entirely open.

"March 1st.—Weather warm and rainy.

"If you have any doubt as to the accuracy of these memorandums, I can only refer you to the newspapers about this time. To satisfy myself, I one morning went to the Historical Library, and for a few minutes examined several papers published at this time. The New York papers speak of arrivals, at and after the 20th of February, and the New Jersey Gazette, published at Trenton, on the 8th of March, says, the Delaware is open to Philadelphia from that place, after having been closed about three months. There must have been a great thaw to have opened the Delaware at Trenton so early in the season, after such an extraordinary frost.

"I have in my possession also, several volumes of 'The New Annual Register, published at London, about this time. In the volume for 1780, there are two letters from General Knyphausen and General Pattison, which speaks of this winter. General Knyphausen is dated New York, 28th March, 1780, and says, that it is only since the middle of February, that the harbour has been open at New York. General Pattison's is dated New York, February 22d.

and says, the rigour of the cold is abated, and we are threatened with a rapid thaw."

February 2d.—Rivington triumphs in the acquittal of "Major General Benedict Arnold. The general whom they heretofore stiled the American Hannibal, triumphed in an honourable acquittal, and his adversaries having lost the confidence of the inhabitants, are hourly sinking into their pristine insignificance and obscurity." Does not this look like a "foregone conclusion?"

5th.—At Poughkeepsie, January 10th, they speak of the long continued and intense cold—the violent tempests, and repeated snows, cutting off all intercourse between neighbours.

General Pattison expresses his satisfaction at the prompt obedience paid to his orders, in forming militia companies, and the order displayed at the review. Particularly of the volunteer companies.

9th.—Mr. William Maxwell "an inhabitant," is tried by a court martial, on charges brought against him by Lieutenant Cramond, of the forty-second regiment, and the court decided, that the charge made by Maxwell, that Cramond, brought dissolute women into his quarters, and kept them all night, (in Maxwell's house,) is not supported by proof---and the same of Maxwell's charge, that Cramond's servants were permitted to threaten to kick Mrs. Maxwell—therefore, as it does not appear, that the prisoner, Maxwell, had any malicious views, and taking into consideration, *what the prisoner has already suffered from imprisonment, the court do sentence him*, to make a publick and personal apology to Lieutenant Cramond, for the offence he has been guilty of, *on the grand parade*, and to publish the same in the newspapers. With respect to the other complaints, preferred by Maxwell, in his memorial and letters, ("though some of them appear frivolous,) the court is of opinion, that the prisoner has established them, by credible evidence." By this it appears, that some of Maxwell's complaints were not frivolous, and were proved—yet, because he did not prove all, he is sentenced as above, and he was obliged to comply, after suffering imprisonment. His apology is published accordingly, in these words: "Agreeable to the above sentence of the court-martial, and in order to do every justice to the character of Lieutenant Cramond, as an officer and a gentleman, I do, in every particular in which the court has found me culpable, acknowledge the offence, and beg Lieutenant Cramond's pardon. William Maxwell."

Eighty sleighs, with provision, escorted by one hundred soldiers, crossed the ice to Staten Island.

Persons are said to have crossed from Saybrook, Connecticut, to a point opposite, on the ice: distance twenty miles.

March 4th.—The commandant, by notice, signed "Stephen P. Adye, aid-de-camp," says: "A board of three field-officers of the garrison, and the magistrates of police shall assemble at the City

Hall on the 9th inst., to examine into all matters respecting billeting"—complaints and memorials having been frequent. A threat to complainants is intimated, that those who bring frivolous complaints "must abide the consequences;" perhaps such as the case of Maxwell shows forth.

The form of a billet is published, to be issued by the barrack-master: it is—"Barrack office,—Having examined the house No. —, in — street, now in your possession, and finding that it will justly admit of receiving a billet for —, you are therefore directed to find room for —."

8th.—In Rivington's Gazette of this date is a list of the members of congress, pretending to give their original occupations, by way of showing contempt for them. I will copy some: New Hampshire—Josiah Bartlet, a farmer; William Whipple, a shopkeeper; George Frost, a fisherman. Massachusetts—Elbridge Gerry, a Marblehead trader; James Lovel, town-schoolmaster at Boston; George Partridge, a schoolmaster; Artemas Ward, a farmer, afterwards an attorney; Samuel Adams, a mallster. Rhode Island—Henry Marchant, an attorney; Stephen Hopkins, a blacksmith; John Collins, a blacksmith. Connecticut—Samuel Huntingdon, an attorney; Roger Sherman, a ditcher and shoemaker, and author of the Almanack called *Poor Roger's*; Jesse Root, a country attorney; Eliphalet Dyer, an attorney; Oliver Ellsworth, an attorney; Andrew Adams, a tavern-keeper, and lately a country attorney. New York—Philip Schuyler, a merchant; Robert R. Livingston, a lawyer; John Morin Scott, a lawyer; William Floyd, a farmer; Ezra L'Hommedieu, a country attorney. New Jersey—Charles Houston, a tutor in Princeton College; Abraham Clarke, a country surveyor; John Fell, a ship-captain in the merchant service, and lastly a farmer. Pennsylvania—Frederick Muhlenburgh, a parson; John Armstrong, a surveyor; William Shippen, an apothecary. In Maryland, they find—two gentlemen. Virginia—James Henry, a country attorney; James Madison, jr., no profession or occupation; John Walker, a gambler and farmer. North Carolina—Cornelius Harnett, a country trader; Thomas Burke, formerly a doctor, and now a country attorney. South Carolina—Thomas Heyward and Richard Colston, rice-planters. Further remarks are promised on "this scaled, miserable, motley groupe."

General Knyphausen issues a proclamation as commander of his majesty's troops on the island of New York, Long Island, and Staten Island, and the posts depending.

22d.—On Wednesday night, two detachments crossed the Hudson to Jersey, consisting of 300 men from Kingsbridge and 300 from New York—both destined to attack the "rear of the rebel

cantonments at Hopper's town." By this account, the expedition failed, as the "rebels" retreated, abandoning their cantonments, after slight resistance, and the invaders returned with the acknowledged loss in killed, one man—a captain and a few men wounded; the rebels "in loose parties keeping up an irregular fire upon the rear, some men dropped behind from fatigue." Sixty-four prisoners are reported to have been brought from Jersey, and some deserters from the rebels. A clergyman was made prisoner by mistake, and another inoffensive inhabitant, and dismissed.

April 5th.—James Robertson, governour and captain-general of the province of New York, issues a proclamation forbidding the cutting down of wood on New York Island, Long Island, Morrisania, and Staten Island, by persons "without right or title." The pretence of cutting on estates of persons supposed to be in rebellion, is not to be allowed.

Lindley Murray was at this time an importing merchant in New York.

19th—James Robertson, as governour of the province of N. York, issues a proclamation, wherein he says, in a long residence he had contracted an esteem for some, and an affection for many of the inhabitants; announces his majesty's pleasure, by the revival of civil authority, to prove that it is not his design to govern America by military law, but by their former constitution; and for this he had brought out the royal appointments for forming the council and supplying the places of lieutenant-governour and chief-justice. And in concurrence with the commander-in-chief of the British forces, who is also his majesty's commissioner for restoring peace to the colony, he will speedily open the courts of justice, convene the assembly, and completely restore the legislative and executive authority. He takes great pleasure in anticipating the blessings of peace, when "your country, with your ancient privileges, will then participate in an extensive commerce, and be exempted from all taxation not imposed by yourselves." He pledges himself (until he meets them regularly in general assembly) for the "impassionate desire" of the king, and of the parent country to unite in affection as in interest with the colonies planted by her hand. [Which were they?] He likewise pledges himself "that the suggestions of her (England's) intention to impair their rights and privileges, are the arts of malice and faction." There is a great deal of this stuff. He laments that the *few* who have managed to acquire a sway, "have been averse to every uniting system of policy, and studiously shunned the paths to harmony and peace." He does not wish to mortify these few, by a mortifying review of their conduct; but he warns them from attempting to seduce the loyalty of others. He gives assurance of protection and support to all who avail themselves of Sir H. Clinton's proclamation issued at Jame's

Island, 3d of March. He advises all concerned "to apply without delay in the ordinary course for charters, to redress the disorders arising from the old ones being lost. As to the publick books of records, so important to your titles and estates in all parts of the colony, and formerly lodged in the secretary's office, I understand that they were separated from the rest, by the provident circumspection of my predecessor; and having been afterwards sent home for safe custody," they shall be returned when tranquility is restored. He then calls on all to accomplish the king's most gracious design, etc. etc.

It is to be remarked, that at this time the British rulers were, first, Sir Henry Clinton, commander-in-chief, then absent, and in his stead, Baron Knyphausen, General James Robertson, governor of the province and captain-general, etc., and his council. General Pattison, commandant and chief of the police. Andrew Elliot, lieutenant-governor and superintendent of police. David Matthews, mayor, and Peter Dubois, magistrate.

29th.—"The following are the candidates for the chair of usurpation as governor of this province:—Mr. George Clinton; Mr. Philip Schuyler; Mr. Malcolm, formerly a ship-chandler of this city; Mr. Palmer, of New Windsor, surveyor; Mr. Peter W. Yates, attorney, at Albany."

The king's council for the province of New York, appointed by James Robertson, were—Andrew Elliot; Ch. W. Apthorpe; William Smith; Hugh Wallace; Henry White; Wm. Axtel; and they address General Robertson with congratulations and professions of loyalty and gratitude to their "most gracious sovereign." They say, "the ambitious and self-interested promoters of rebellion, to support their unauthorized and perilous combinations, with designing, popish, and arbitrary powers, have, by concealing and misrepresenting the many generous and humane offers of Great Britain," brought on the people the evils they taught them to dread. They praise the proclamations of Robertson and Clinton, and echo the sentiments expressed by the former. To this address Robertson returns compliments, and requests their advice to make the loyal inhabitants happy.

May 12th.—The Marquis de Lafayette arrived from France at head-quarters, with an appointment from Louis for Washington of Lieutenant-general of France, and assurances of supplies.

27th.—The commandant says that the superintendant-general of the Hospitals represents that the patients daily purchase spirituous liquors from the licensed publick houses; therefore, it is ordered, that those selling liquors to soldiers coming under the above description, shall lose their licenses, and be punished as a court-martial shall adjudge. And it is ordered, that soldiers, convalescent, and allowed to go out of the hospitals, shall wear a dis-

tinguishing mark, of an H., made of blue cloth, and sewed on a conspicuous part of each arm!" It is likewise complained, that patients have been encouraged by the inhabitants to sell their clothing and the bedding and utensils of the hospitals.

31st.—A brigantine belonging to Philadelphia was taken coming from Port au Prince : " she was commanded by Captain Mesnard, formerly of the snow Carolina, who sometime since was tried in this city by a court-martial, on a charge of secreting letters addressed from *republicans in England* to their rebel brethren in America : he was found guilty, but the whole of his sentence, through the wonted grace and clemency of his excellency, General Sir Henry Clinton, was remitted. Immediately after, and to express his sense of this lenity and forbearance, he repaired to Philadelphia, obtained a command in the merchant's service, and commenced a steady wagoner to and from the island of St. Eustace and the city of Philadelphia. So much at present for Mesnard."

June 4th.—Sunday, " his worship, the mayor, attended by a most respectable body of our principal citizens, waited on his excellency, our governour, with the following address : ' To his excellency, J. Robertson, captain-general and governour-in-chief,' etc. They regret the loss of Tryon, as governour, but are consoled by the virtues of R.—praise his proclamation—congratulate him on the conquest of Charleston—the prospect of the restoration of civil government, etc. Signed, " in behalf of the citizens, and at their request." D. Matthews, mayor.

June 7th.—Robertson, in his answer to the address of the mayor and citizens on the 4th, says, in conclusion : " May the arms you have so readily taken, awe those into submission, whom the humane calls of a sovereign and your example, fail to induce to become friends to the general welfare."

17th.—General Robertson calls on the inhabitants of Long Island to furnish wood for the barrack-yard in New York. The county of Kings is required to get 1,500 cords ; Queen's, 4,500 ; and the western part of Suffolk, including Huntingdon, Islep, Smihtown, and Brookhaven, 3,000—cut and corded by the 15th of August. Price, 30s. per cord for walnut, 20s. for oak. Cartage, 4s. a cord per mile. The inhabitants of Southold, Southampton, and Easthampton, are required to cut in the woodlands late belonging to William Smith and William Floyd, of Suffolk county, (now out in rebellion) in the parts thereof nearest to the landing of Mastick Neck, 3,000 cords, to be ready by the 1st of September ; they will at the landing receive 10s. per cord for cutting and carting.

Robertson likewise issues his proclamation to encourage farmers to cut and cure the greatest quantity of grass the season will permit. There is an acknowledgment that the scarcity of forage in

the Spring of 1780 had rendered it uncertain what proportion he could depend upon for his own use the ensuing winter, in consequence of its being seized for the troops, he therefore assures the farmers that if they will deliver two-thirds of their fresh hay for the king's magazines, they shall be allowed to keep the other third for themselves. On delivery, certificates will be given them of the quantity, and for the cartage.

In Rivington's paper of this date is an account of the burning of Johnstown in part, and the atrocities of the Indians under Sir John Johnson, copied from Loudon's New York Packet, printed at Fishkill. An abstract of it is desirable :

"Sir John Johnson, (who styles himself lieutenant-colonel commanding the king's Royal Yorkers) on the 21st of May made his first appearance at Johnson Hall, undiscovered—aided by the Tories of the neighbourhood, and began to burn all the houses except those of the Tories. They commenced at below Tripe's Hill, (the name given to the hill on which the Indian tribes used to meet in council) meaning *Tribe's*; thirty-three houses and out-houses were destroyed; some of those fired, were quenched after the destroyers passed; eleven persons were killed. Colonel Fisher and two brothers defended the house they were in; and after the brothers were killed and scalped, the Colonel still defended himself until knocked down and scalped; he was left for dead, but revived, and is likely to recover. His mother was knocked down, but not scalped, and has recovered. Major Van Vrank saved many by giving the alarm to the inhabitants, who crossed the river. Johnson, after committing this devastation, returned to the Hall, dug up his plate, and in the evening marched with his band to Scotch-bush. Some of his negroes that had been sold by the state, he carried off with him, and several of his former tenants, who joined him. Some of his prisoners he suffered to return on parole. He is said to have had with him 200 English soldiers and 300 of his regiment of Indians."

George Clinton was re-elected governour by a majority of 3,264.

September 30th.—"Thursday, died of fever, at his seat in the Bowery, Nicholas Stuyvesant, Esq., in the 53d year of his age. He was the eldest son of Colonel Stuyvesant, one of the most venerable characters, and elected annually to the magistracy for this town for a series of more than forty years, and the great grandson of that brave Dutch governour who commanded here at the conquest, in 1664. His remains were interred in the family vault, on the patrimonial estate of the old Governour, which now descends entirely to Mr. Peter Stuyvesant."* Peter Stuyvesant, the son of

* See Rivington's Gazette, of this date.

the last mentioned Peter, was born in 1778, and through the death of his uncle Nicholas, without children, possesses the greater part of the estate, now, within the city. Nicholas was, during the possession of the English troops, an auctioneer.

In a Gazette extraordinary, Rivington gives what purports to be copies of letters taken in a rebel mail intercepted. The first is from Generals Greene, Parsons, Knox, Glover, Stark, Huntington, and Patterson, to Governour Trumbull, filled with complaints, etc. The second from Alexander Hamilton to Isaac Sears, at Boston: "We must have a government with more power; we must, he says, have a tax in *kind*; we must have a foreign loan; we must have a bank on the true principles of a bank; we must have an administration different from congress, and in the hands of single men, under their orders; and above all, we must have an army for the war, and on an establishment that will interest the officers in the service." If this letter is not genuine, it is well imagined.

November 1st.—It is recommended that "By permission, on Monday the 13th of November, will be run for on Flatland Plains, five miles from Brooklyn ferry, a purse of £60." Then the terms and rules. Other prizes on the second day. There will be fox-hunting during the races. And on the the second "to be run for, by *women, white or black*, a Holland smock and a chintz gown, full trimmed with white ribbands, etc. To be run in three quarter mile heats; the first, to have the smock and gown; the second best, a guinea; and the third, half a guinea." God save the King will be played every hour.

December 2d.—"A party of rebels, about eighty in number, headed, it is said, by a rebel Major Talmadge, assisted by a certain Heathcot Munson, Benajah Strong, Thomas Jackson, and Caleb Brewster, officers belonging to said party, formerly all of Long Island, came across in eight whale-boats from somewhere about New Haven on the Connecticut shore, and landed between Wading River and the Old Man's, and are supposed to have been concealed two or three days on the island by their old friends, the rebels." The account goes on to say that they surprised a body of respectable loyal refugees from Rhode Island, who were establishing a post at Smith's Point, St. George's manor, south side of Long Island. The sentry fired upon the rebels, and they had the cruelty to return the fire, rush into the house and kill a loyal subject in the most shocking manner. The rebels carried off about forty prisoners, burnt a magazine of hay, and returned to Connecticut.*

13th.—Rivington gives notice that on the commencement of the ensuing year, he will adopt the custom of London, where the whole

* See Rivington's Gazette, of this date.

city is daily supplied by hawkers only, with newspapers. He declines subscribers or subscriptions.

19th.—George Batterman deposed before a justice of the peace in Boston, that being a passenger on board the brig *Providence*, from Turk's Island, bound to Rhode Island, he was captured on the 15th of September last by the *Intrepid*, a 64 gun ship, James Anthony, purser, Mewley, captain, who "took every stitch of clothes the prisoners had on board, and hove them overboard." On the 28th, put the prisoners on board the prison ship at New York. They had eight ounces of condemned bread per day, and eight ounces of meat per week, [evidently a mistake of week for day.] He was afterwards put on board the *Jersey*, where it was supposed 1100 American prisoners were; was threatened, if attempting to escape, he should be brought to the gangway and flogged; same food as above—not fit to eat; that recruiting officers came on board, and finding that the American officers persuaded the men not to enlist, removed the officers, as B. was told, to the Provost; the people were then tempted to enlist to free themselves from what was represented confinement hopeless of exchange; that the officers were thus from time to time removed. On the 5th of December, they were served a pint of water for the day; that the sick were not sent to the hospital ship until they were so ill and weak that they often expired before they got out of the *Jersey*. The commanding officer told us, that his orders were, that if the ship took fire, we should all be turned below, and perish in the flames; [this was probably in consequence of the burning of a prison-ship, as mentioned by David Sprout, and meant to deter them from attempting to escape by that desperate means.] He says, by accident, the ship took fire in the steward's room, and the Hessian guards were ordered to drive the prisoners below, and if we offered to resist, that they should fire among us, and if any of us got into the water, they should fire on us.

30th.—Clinton and Arbuthnot publish "a declaration" to the inhabitants of the British colonies, offering his majesty's pardon to all rebels, "excepting such persons as under forms of trial have been instrumental in putting to death any of his majesty's subjects."

In Rivington's Gazette of this date there is likewise in full, a declaration, approved by Sir Henry Clinton, by the honourable board of Directors of Associated Loyalists. They say that his majesty has been induced to signify his royal pleasure that a board be established for embodying and employing such of his faithful subjects in North America as may be willing to associate for the purpose of annoying the sea-coasts of the revolted provinces, and distressing their trade, either in co-operation with his majesty's land and sea forces, or by making diversions in their favour, when they are carrying on operations in other parts." In consequence, Clin-

ton issued a commission, constituting William Franklin, Esq. governour of New Jersey, Josiah Martin, Esq. governour of North Carolina, Timothy Ruggles, Daniel Cox, George Duncan Ludlow, Edward Lutwyche, George Rome, George Leonard, Anthony Stewart, and Robert Alexander, Esqrs., a Board of Directors for the conduct and management of this business. Then follow the articles, stating that all persons willing to bear arms for the above purposes, shall be commanded by officers recommended by the board and appointed by Clinton. They are to be furnished with arms, etc. All captures made by them to be distributed among them, unless when in conjunction with the army and navy. Vessels to be furnished them for their excursions. Their prisoners only exchanged for refugees. Their sick and wounded taken care of in the king's hospitals. If acting as guides, to be paid for it. And at the end of the rebellion, the associates are to receive each 200 acres of land in North America. Their particular business is to stop the cruelties with which the rebels have treated loyalists; and the directors pledge themselves to omit nothing in their power to make the rebels feel their vengeance, if they, by making a distinction between prisoners of state and prisoners of war, punish worthy loyalists as heretofore; and they appeal to God that they do not wish to prolong the horrors of war or increase the miseries of their country. The murder of Huddy was one of the consequences of forming this board.

1781 February 7th.—A letter from David Sprout to Abraham Skinner, the American commissary of prisoners, is published. It had been asserted that a captain of a king's ship took the clothes of the Americans he had prisoners, and threw them overboard. Sprout says, no dirty rags are suffered to remain on board a king's ship. He acknowledges that very many of the prisoners on board the Jersey are sick and dying, but their disorders only proceed from dirt, nastiness, and want of clothing. He says, that on the first complaint made to him, with respect to provisions, he went on board the prison-ship, and wrote down in a large hand on a folio sheet of paper the quantity of each species of provisions allowed by the king to prisoners of war, and pasted it on a board, and caused it to be hung up in the most publick place of the vessel, in order that every prisoner might see it, and requested of their own officers, that they would take in rotation the trouble to see that they got the full quantity of good, sound, and wholesome provisions; and that when a cask happened to be damaged, or otherwise bad, it should not be served to them, but headed up again, surveyed, and condemned according to the custom of the navy.

He further says, "on my appointment to this office, the 13th of October, 1779, I examined into the state of the prisoners and prison ships and reported the same to Admiral Arbuthnot, who ordered

me to make every necessary regulation in order to accommodate the prisoners as well as circumstances would admit. Accordingly carpenters were sent from the king's yard, and a bulk head run across the prison-ship Good Hope ; the officers were berthed abaft this partition, and the men before it : and two excellent large stoves purchased with every appurtenance thereunto belonging, and erected, one in the apartment of the officers, and the other in the apartment of the men." The hospital ship was equipped in the same manner, and every sick or wounded person furnished with a cradle, bedding, and surgeons appointed to take care of them. (This assertion is made in the shape of a question.) "In this comfortable situation did the prisoners remain until the 5th of March, 1780 ; when they wilfully, maliciously, and wickedly burnt the best prison ship in the world. The perpetrators of this horrid act were not hanged, but ordered to the provost. The prison ship at this time lay in the Wallabout, near to a number of transport ships ; the people belonging to them were so alert in snatching the prisoners from the flames, that but two out of some hundreds were missing. This is what I suppose the congress allude to when they say that they were indiscriminately thrown into the holds of prison ships. They were indeed without distinction put on board the nearest ship, called the Woodlands, where they remained for a short time, until the ships Strombolo and Scorpion were got ready for their reception. But the officers were always admitted to parole on Long Island, in that pleasant village Jamaica, until the 10th of July last, when many of them had broke their parole, and otherways behaved so ill, that it was refused them. This alteration had not taken place above two months, when the prisoners were all moved on board the ship Jersey, where there is a variety of apartments for officers, and plenty of room between decks for the men."

He says he has offered to exchange prisoners man for man, for as many as shall be sent within the British lines. He says that if the congress stick to their resolve "not to exchange any British sea officers or seamen, until the enemy have returned to some of their garrisons in America, such seamen as they have taken upon the American coasts and sent to Great Britain or other parts beyond the sea," and that "British prisoners receive the same allowance and treatment, in every respect as our people who are prisoners receive from the enemy ;" "*it will hurry on their misery and distress faster than they are aware of, and in a short time, put the honour of every man to the test who is out on parole.*" Signed David Sprout, commissary of naval prisoners in North America, and dated the 29th of January, 1781.

The resolves of congress and letter of Sprout appear to have been occasioned by the deposition of George Batterman, before noticed.

March 1st.—New York ceded her vacant lands to the Union, and has the honour of *first* so doing. Virginia released her claims in 1784; Massachusetts in April, 1795; and Connecticut in September, 1786. The settlement of Ohio followed, which after the failure of the Indian war supported by England in 1795, became the pride of America.

1782 Desertions from the British were more frequent than usual this winter, and particularly Arnold's corps, who came off with their horses by fives, sixes and threes, privates and sergeants, and likewise many Hessians.

June 20th.—Congress adopted the spread eagle as the arms of the United States.

1783 About the time of the acknowledgement of independence Colonel Thompson, since known as Count Rumford, commanding at Huntington, Long Island, caused a fort to be erected in the church-yard contrary to the remonstrance of the inhabitants, and at a time when it was known the war was nearly or quite at a close: but this formed a pretext for charging the English government with the expense, or pretended expense. This man had offered himself in 1775 for a commission in the rebel army, and being refused, repaired to the British and went to London, and found means to get into the office of the secretary of state as a clerk: this aided him in procuring a commission to raise a regiment in America in perhaps 1780, which he partially accomplished, and enjoyed the pay and emoluments. The commission he asked was a majority in Gridley's Artillery, but Gridley preferred giving it to his own son, who afterward proved a coward.

Immediately after the peace of 1783, Isaac Sears returned to New York from Boston, where he and his son-in-law had resided during the war: the son-in-law followed next year and the co-partnership between them continued.

In 1784–5 the company of Sears and Smith failed, and the energetick old man made a voyage to the East Indies which retrieved in part his fortunes, but in 1786 he was seized with fever in Batavia and died.

1784 March 2d.—By a report of the committee appointed by the common council of New York, relative to arrears on back rents, or rents for lots of the corporation on lease---I find that one person having possession of a lot in rear of the jail at £3 per annum, paid "during the war" to "John Smyth, the then city treasurer," £18 5s. The common council resolve to renew the lease, the lessee paying the rent due without deducting the said £18 5s. Another person represents, that he leased in 1780, of David Matthews, mayor, a lot in Chatham street, supposed to be vacant, but which had been leased before the war to another, and

the whole rent is demanded; he asks to pay only from 1780. The committee report "that arrears of rent are due to the corporation from many meritorious persons, who have taken an active and decided part in the cause of their country," and suffered losses, "and many other persons well affected to the cause of their country, (lessees to the corporation) who left this city in the year 1776, have from poverty and other unavoidable misfortunes been obliged to return within the British lines before the peace took place, and have been prevented from occupying their habitations, and deriving any advantage from their leased estates, because of their attachment to the American cause, but upon condition of their paying rent to *the vestry*, or Mr. Smyth *their* treasurer." The committee report favourably to such persons, i. e. not to exact rent from them for the time so paid for to Mr. Smyth, or from 1776 to November 25th, 1783.

The common council "ordered that no allowance or abatement be made to any person or persons whomsoever, who are grantees of the corporation, for any rents which became due previous to the 1st of May, 1776, or subsequent to the 25th of November last."

October 2d.—An address and the city's freedom were presented to Mr. Jay on his return: After compliments to our statesmen generally, they say, "among these worthy patriots you, sir, were distinguished—in our own convention—in our first seat of justice—as a member and as president of the United States in congress assembled—and as a minister plenipotentiary both in Spain and France, etc." Mr. Jay in his answer does not confine himself to common place compliments, but speaks of the "singular spectacle" exhibited to the world, "of a patriot army of citizens, peaceably retiring with their great and good chief, crowned with laurels and the blessings of the people to fill the various stations of private life." He recommends *national views*—union---good faith---provision for war, however improbable---and our federal government rendered efficient.

"This being a land of light and liberty I bless God that it is the land of my nativity. Here my forefathers (after the revocation of the Edict of Nantz, A. D. 1684) sought and found freedom and toleration. I am bound to it by the strongest ties, and as its happiness has been the first object of my endeavours from early life, so the most fervent wishes for its prosperity shall be among those of my latest hours."

8th.---The return of election is made to the common council for the Outward, Nicholas Bayard, and Henry Shute, as alderman and assistant. Alderman Ivers demands a scrutiny, because that (among other things) Mr. Bayard after having left the town did voluntarily return thereto, enjoyed his property and held employment under the British government during the war. Ordered that

the clerk furnish Mr. Bayard with a copy of Mr. Ivers's petition, and a scrutiny ordered.

14th.---On Mr. Jeremiah Wool's coming up to be sworn as alderman, the recorder objected to his being qualified because he held and exercised the office of coroner; the board determined that Mr. Wool might take his choice of the offices, but he insisted on holding both; the board suspended opinion and Wool took the oaths. Mr. Varick (the recorder) objected to Mr. Phoenix as an assistant, he holding the offices of treasurer and chamberlain: but it was overruled.

It was resolved that Nicholas Bayard was not disqualified and was duly elected.

December 2d.---The mayor, James Duane, presented a draft of an address to General Washington, etc. "To his Excellency George Washington, late commander-in-chief of the armies of the United States of America.

"When this city after the restoration had the honour of your Excellency's presence, it was regretted that the derangement of its institutions suspended those public testimonials of respect, gratitude and applause, which every heart truly American is solicitous to pay to your distinguished merits and services. The corporation, since organized, resolved to embrace a proper opportunity to manifest the exalted sense which they entertain of both; and are happy that your *approach* to the *vicinity of this state* will put it in their power to carry that resolution into effect." The rest is complimentary.

As the mayor was going to Philadelphia, he is deputed to carry the address with a gold box to his Excellency, who is expected at that place, and if not found there, Mr. Duane was to forward it to him.

1785 May 2d.—Washington's answer was as follows:—

"Gentlemen, I receive your address and the freedom of the city with which you have been pleased to present me in a golden box, with the sensibility and gratitude which such distinguished honours have claim to. The flattering expression of both, stamps value on the acts; and calls for stronger language than I am master of, to convey my sense of the obligation in adequate terms.

"To have had the good fortune amidst the vicissitudes of a long and arduous contest, 'never to have known a moment when I did not possess the confidence and esteem of my country,' and that my conduct should have met the approbation, and obtained the affectionate regard of the State of New York, (where difficulties were numerous and complicated) may be ascribed more to the effect of divine wisdom, which had disposed the minds of the people, harrassed on all sides, to make allowances for the embarrassments of my situation, whilst with fortitude and patience they

sustained the loss of their capital, and a valuable part of their territory, and to the liberal sentiments and great exertion of her virtuous citizens, than to any merit of mine.

“The reflection of these things now, after the many hours of anxious solicitude which all of us have had, is as pleasing, as our embarrassments at the moment we encountered them were distressing, and must console us for past sufferings and perplexities.

“I pray that heaven may bestow its choicest blessings on your city. That the devastations of war in which you have found it, may soon be without a trace. That a well regulated and beneficial commerce may enrich all your citizens, and that your state (at present the seat of empire) may set such examples of wisdom and liberality as shall have a tendency to strengthen and give permanency to the union at home; and credit and respectability to it abroad—the accomplishment whereof is a remaining wish, and the primary object of all my desires.—GEORGE WASHINGTON.”

June 29th.—The committee respecting the fourth of July report, and it is agreed to, that at sun rising thirteen round of cannon to be fired in the fields, and the flag of the United States displayed on the City Hall. At 8 o'clock in the morning all the bells in the city (the alarm bell at the City Hall and that at the Goal excepted) to commence and continue ringing one hour. At 12 o'clock the mayor, recorder, aldermen and assistants, attended by the clerk, sheriff, and the marshalls and constables, to assemble at the City Hall, when the like firing of the cannon and ringing of the bells is to be repeated, and thence to proceed to wait upon their excellencies the governour and the president of congress with the compliments of the city on the occasion. To conclude the day, the like firing of cannon is to be repeated at the setting of the sun.

October 14th.—The common council passed the following resolution: “Whereas it hath been represented to this board in behalf of Mr. Lawrence Embree, one of the commissioners of the Alms house, that the company of comedians in this city some time since presented him with £40 for the use of the poor; and that although he disapproved of a donation so circumstanced, he thought it his duty to suffer it to be deposited with him until the sense of the magistrates respecting the same could be determined. Whereupon the Board came to the following resolutions:—Resolved, that it appears that the play house was opened by the said company of comedians without the license or permission of the civil authority, which in the opinion of this board is a thing unprecedented and offensive: Resolved, that while so great a part of this city still lies in ruins, and many of the citizens continue to be pressed with the distresses brought on them in consequence of the late war, there is a loud call to industry and economy; and it would in a peculiar

manner be unjustifiable in this corporation to countenance enticing expenses and amusements : that among these a theatre however regulated must be numbered ; while, under no restraint it may prove a fearful source of dissipation, immorality and vice : Resolved, that the acceptance of the said donation, by the advice of the board, might authorize a conclusion that they approved of the opening of the said theatre, and that therefore it be and it hereby is recommended to Mr. Embree to return the same to the person from whom he received it. Ordered, that the foregoing resolutions be published in all the newspapers of this city."

November 14th.—Number of persons in the Alms house at this time 301 ; viz : 63 men, 133 women, 50 boys, 49 girls, 2 black men, and 4 black women.

1787 April 3d.—The mayor laid before the board a concurrent resolution of the senate and assembly, dated the 26th of November, 1784, " that the monument by the United States in congress assembled, ordered to be erected to the memory of Major General Montgomery, be erected in the city of New York, at such particular place as the mayor etc. shall appoint." The mayor recommended an immediate attention to fixing on a suitable place for erecting said monument, and that the same be put up without delay. They agreed that the front of St. Paul's Church is the most proper place, and a committee was appointed to consult with the church wardens and carry into effect the above.

1788 July 16th.—In pursuance of the law of this state authorizing the corporation of the city of New York to remove the statue therein mentioned ; Ordered, that the aldermen and assistants of the Dock ward, and East ward, be a committee to remove the remains of Pitt's statue from Wall street, and that they deposit the same in some safe place until the further order of this board.

September 17th.—The act of congress for appointing the time and place for the meeting of the general government under the *new constitution*, is laid before the common council, and it appears that this city is appointed for that purpose, and Ordered, " that the whole of the City Hall be appropriated for the accommodating the general government of the United States, and that this board will provide means for defraying the expense of putting the same in proper order and repair." A committee was appointed to consult the delegates of this state in congress, and others, and to report the alterations and repairs necessary ; and to examine the exchange and report what repairs will make it fit for the accommodation of the courts of justice and the meeting of the corporation of this city.

30th.—The committee on the subject reported that they have consulted the gentlemen, and had procured a plan (executed by

Major L'Enfant) of the additions, alterations and repairs, necessary to the City Hall, and recommend the same to be adopted by this board. It is represented to the board that a number of citizens had by voluntary subscription engaged to the monies necessary for the said building, in expectation of being reimbursed by the legislature, and had nominated five commissioners, viz : Robert Watts, Alexander Mc Comb, Major L'Enfant, James Nicholson, and William Maxwell, to purchase the materials and superintend the said business. Resolved, that the common council approve the proceedings, "so that no charge be made on this corporation for any part of the expense."

THE END.

ERRATA.

VOLUME I.

Page.	Line.	
18,	40—	for <i>was</i> read <i>were</i> .
25, note,	7—	for <i>thetfirs</i> read <i>the first</i> .
32,	35—	for <i>flow</i> read <i>flows</i> .
34,	19—	dele *.
“ note,	1—	for <i>in</i> read <i>is</i> .
“ †	2—	dele <i>who were</i> .
“ “	“—	after <i>and</i> insert <i>were</i> .
35, note,	18—	dele <i>South</i> .
50,	43—	dele <i>it</i> .
60,	20—	for <i>who like</i> read <i>to</i> .
90, note,	15—	for . substitute ,.
“	“—	for <i>They</i> read <i>they</i> .
91,	7—	for <i>was</i> read <i>were</i> .
100,	13—	after <i>Haven</i> insert <i>John Leverett</i> .
“	32—	for <i>three</i> read <i>their</i> .
101,	5—	after <i>arms</i> insert <i>were</i> .
134,	28—	for <i>twenty</i> read <i>sixty</i> .
145,	35—	after <i>him</i> insert <i>not</i> .
147, note,	24—	for <i>Smith's Oly</i> read <i>Smith's Vly</i> .
168,	41—	for <i>is</i> read <i>it</i> .
218, note,	6—	for <i>Grotius</i> read <i>Gronovius</i> .
234, note,	13—	after <i>name</i> insert <i>of</i> .
235,	31—	for <i>keep</i> read <i>kept</i> .
245, note,	16—	for <i>Prasse</i> read <i>Basse</i>
247,	“—	dele note †.
255, note,	7—	for . substitute ,.
“	“—	for <i>To</i> read <i>to</i> .
261,	2—	for . substitute ,.
266, note,	8—	for <i>Hamson</i> read <i>Harrison</i> .
272,	17—	for <i>Governour</i> read <i>Gouverneur</i> .
“	30—	dele <i>his</i> .
280,	21—	after 1712 insert <i>there were</i> .
315,	41—	for <i>declared</i> read <i>delivered</i> .
“	“—	dele note *
319,	9—	before <i>governour</i> insert <i>lieutenant</i> .
326, note,	6—	for <i>Barton</i> read <i>Bartow</i> .
327, note,	16—	for 1728 read 1778.
“	17—	for 1729 read 1779.
339,	37—	for <i>as</i> read <i>was</i> .
346,	25—	for <i>she</i> read <i>he</i> .
369, note,	2—	dele <i>to this volume</i> .
379,	31—	dele <i>or</i> .
383,	26—	for <i>muting</i> read <i>mutiny</i> .
388,	8—	for <i>of</i> read <i>on</i> .
393,	2—	before 2000 insert <i>nearly</i> .
412,	1-2—	dele from <i>actuated</i> to <i>foreigners</i> .
“	18—	for <i>imports</i> read <i>imposts</i> .
416, note,	9—	for <i>were</i> read <i>was</i> .
435,	—	dele from <i>Repeated</i> , line 4, to <i>do</i> , line 14. See post. p. 447.
439,	1—	for <i>consent</i> read <i>contest</i> .
445,	—	dele from <i>he</i> , line 2, to <i>month</i> , line 14, and add as a note See ante. pp. 427, 428.

ERRATA.

Page.	Line.
446, note,	7— <i>for Commissioner read Commissioners.</i>
447,	21— <i>for 1769 read 1766.</i>
456,	1— <i>for 1776 read 1775.</i>
"	32— <i>between authorities and while insert [1775.]</i>
461,	23— <i>for 1671 read 1761.</i>
468,	13— <i>after August insert 1775.</i>
476,	15— <i>for exerted read executed.</i>
480,	2— <i>for cockle-boat read whale-boat,</i> See Vol. II. pp. 19, 20.

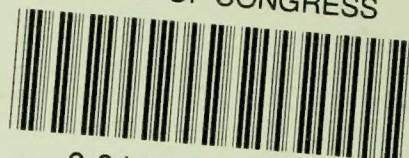
VOLUME II.

Page.	Line.
36,	19— <i>for any read my.</i>
"	33— <i>for Oghmwaga read Oghkwaga.</i>
37,	44— <i>for Oghkwaga read Oghkwaga.</i>
40,	— <i>dele from the line 13, to city, line 22,</i> See Vol. I. pp. 407, 408.
42,	28— <i>between and and the insert during.</i>
45,	— <i>dele from appointed, line 21, to</i> <i>general, line 23.</i>
"	24— <i>before his insert as.</i>
50,	41— <i>for Burgoyne read Carleton.</i>
54,	19— <i>for coming up with read approaching.</i>
94,	20— <i>for in read on.</i>
102,	27— <i>for Moses read Moore's.</i>
162,	46— <i>for this read an.</i>
"	"— <i>between enterprize and was insert to recover it.</i>
176,	10— <i>for eminent read imminent.</i>
207,	18— <i>for which read while.</i>
211,	32— <i>for them read it.</i>
245,	12— <i>for proper read property.</i>
"	30— <i>for appointment read apportionment.</i>
248,	19— <i>dele it.</i>
269,	46— <i>for power read house.</i>

APPENDIX.

Page.	Line.
VIII,	44— <i>after island insert of Manhattoes.</i>
XX,	2— <i>for if read of.</i>
XL,	40— <i>for 1705 read 1805.</i>
LXXXII,	33— <i>for others read otters.</i>
LXXXIV,	45— <i>for is read are.</i>
CI,	35— <i>for Jersey read York.</i>
CXXVII,	1— <i>for Cobbett read Corbett.</i>
CXLII,	23— <i>for country read county.</i>
CLXX,	36— <i>dele and.</i>
CXCVII,	14— <i>for was read were.</i>
CCXI,	38— <i>for Ellen read Allen.</i>
CCVIII,	4— <i>for fells read feels.</i>
CCXXI,	13— <i>for royal read loyal.</i>

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